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United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 70/116. It covers the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law in 2016, as well as the activities planned for 2017 and the administrative and financial implications.

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I. Introduction

1. By its resolution 70/116, the General Assembly authorized the Secretary-General to carry out, in 2016 and 2017, the activities specified in his report on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (A/70/423), submitted to the Assembly at its seventieth session. In paragraph 23 of the same resolution, the Assembly requested the Secretary-General to report at its seventy-first session on the implementation of the Programme of Assistance in 2016 and, following consultations with the Advisory Committee on the Programme of Assistance, to submit recommendations regarding the Programme of Assistance in subsequent years.

2. The present report provides information concerning the implementation of the Programme of Assistance in 2016, as well as the activities planned for 2017 and the administrative and financial implications.

II. Implementation of the Programme of Assistance during 2016

3. The Codification Division of the Office of Legal Affairs is responsible for the implementation of the Programme of Assistance.[1] The Division performs various functions, such as preparing reports of the Secretary-General and providing services to the Advisory Committee and the Sixth Committee on the related agenda item. It also maintains the website of the Programme of Assistance.

A. International Law Fellowship Programme

4. The International Law Fellowship Programme provides comprehensive training by highly qualified international law scholars and practitioners from different regions and legal systems for lawyers from developing countries and countries with emerging economies, under the Programme of Assistance.[2] The fellows attend the Public International Law session at The Hague Academy of International Law and seminars organized by the Codification Division on a broad range of core subjects of international law. Study visits are also arranged for the participants.

5. The International Law Fellowship Programme was held at The Hague from 27 June to 5 August 2016. A total of 21 fellows (10 men and 11 women) were selected for the Fellowship Programme.[3] It was conducted in French in 2016.

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[1] For information on other activities of the Office of Legal Affairs, see documents A/71/10, A/71/17 and A/71/74 and the Treaty Section website (https://treaties.un.org).

[2] Since 2010, the Codification Division has conducted the Fellowship Programme at The Hague as a necessary cost-saving measure to increase the number of fellowships provided through the regular budget (see A/65/514, para. 12).

[3] Nearly 330 applications were received from 55 Member States for 21 fellowships (235 from Africa, 25 from Asia-Pacific, 10 from Eastern Europe and 59 from Latin America and the Caribbean). The fellowship participants were from the following Member States: Burundi, Burkina Faso, Cambodia, Cameroon, Chad, Colombia, Comoros, Côte d'Ivoire, Cuba, Dominican Republic, Guinea, Haiti, Indonesia, Mali, Morocco, Niger, Peru, Republic of Moldova, Senegal, Togo and Viet Nam. The participants included lawyers working for various government offices (ministries of foreign affairs and justice, as well as parliaments) and academic institutions.

6. The Hague Academy lectures consisted of (in chronological order): "Why do we need a law of treaties?" (Inaugural Lecture) (Sir F. Berman QC, Barrister and International Arbitrator); "International law — between letter and spirit" (General Course) (M. Bennouna, Judge, International Court of Justice); "International organizations and their operational actions for State reconstruction" (J.-Y. De Cara, Professor, Paris Descartes University); "Human dignity and international law" (P. De Sena, Professor, Catholic University of Milan); "International case law in the development of international law" (B. B. Jia, Professor, Tsinghua University, Beijing); "The prohibition of torture in contemporary international law" (F. Mariño Menendez, Professor, Carlos III University, Madrid); "International law relating to islands" (S. Murphy, Professor, George Washington University, Washington, D.C., and Member, International Law Commission); and "Shared responsibility in international law" (A. Nollkaemper, Professor, University of Amsterdam).

7. The seminars organized by the Codification Division consisted of (in chronological order): "Introduction to international law" and "The work of the International Law Commission" (M. Forteau, Professor, University of Paris Ouest Nanterre La Défense, and Member, International Law Commission); "Treaty law" (S. Villalpando, Chief, Treaty Section, Office of Legal Affairs); "International peace and security" (M. Kohen, Professor, Graduate Institute of International and Development Studies, Geneva); "State responsibility" and "Diplomatic and consular relations" (P. Bodeau-Livinec, Professor, University Paris 8, Vincennes-Saint-Denis); "United Nations and law-making" (F. Messineo, Legal Officer, Codification Division, Office of Legal Affairs); "International human rights law" (L.-A. Sicilianos, Judge, European Court of Human Rights); "International Human Rights Law: The Latin American System" (A. A. Cançado Trindade, Judge, International Court of Justice); "Peaceful settlement of international disputes" (O. Corten, Professor, Free University of Brussels); "Law of the sea" (T. Treves, Professor, University of Milan, and former Judge, International Tribunal for the Law of the Sea); "International environmental law" and "International organizations" (L. Boisson de Chazournes, Professor, University of Geneva); "International humanitarian law" (A. Lagerwall, Professor, Free University of Brussels); "International criminal law" (B. Bonafé, Professor, Sapienza University of Rome); and "International trade law" and "International investment law" (M. M. Mbengue, Professor, University of Geneva). In addition, the participants took part in a moot court exercise organized by the Codification Division.

8. Study visits with briefings by senior officials were arranged for the participants at the International Court of Justice, the International Criminal Court and the Permanent Court of Arbitration.

B. United Nations Regional Courses in International Law

9. The United Nations Regional Courses in International Law provide training by highly qualified international law scholars and practitioners on a broad range of core subjects of international law and specific subjects of

particular interest to the countries in a given region.[4] The courses provide an important mechanism for expanding the international law training opportunities available to lawyers from developing countries, given the limited number of participants who can be accommodated in the International Law Fellowship Programme. The courses also provide participants with an opportunity to focus on contemporary issues of international law of common interest to the region, with a view to promoting greater understanding and cooperation on such issues.

1. Africa

10. The Regional Course in International Law for Africa was held at the Economic Commission for Africa in Ethiopia from 1 to 26 February 2016. The course was conducted in English. A total of 31 participants (15 men and 16 women) attended the course, with 23 fellowship participants and 7 self-funded participants.[5] One participant received a partial fellowship.

11. The seminars for the Regional Course consisted of (in chronological order): "Introduction to international law" (G. Nolte, Professor, Humboldt University, Berlin, and Member, International Law Commission); "Community interests in international law" (D. Stewart, Associate Legal Officer, Codification Division, Office of Legal Affairs); "Africa and international law in the twenty-first century" and "Self-determination under international law" (A. Yusuf, Vice President, International Court of Justice); "International investment law" (J. Donoghue, Judge, International Court of Justice); "International environmental law" and "International organizations" (L. Boisson de Chazournes, Professor, University of Geneva); "International trade law" and "African Union law and institutions" (M. M. Mbengue, Professor, University of Geneva); "International human rights law" (O. Okafor, Professor, Osgoode Hall Law School, York University, Toronto, and Chairperson, Human Rights Council Advisory Committee); "Law of the sea" (N. Oral, Professor, Istanbul Bilgi University); "Codification and progressive development of international law: the work of the International Law Commission" and "International peace and security" (D. Tladi, Professor, University of Pretoria, and Member, International Law Commission); "Law of treaties" and "State responsibility" (S. Villalpando, Chief, Treaty Section, Office of Legal Affairs); "Peaceful settlement of international disputes" (B. Daly, Deputy Secretary-General and Principal Legal

[4] Since 2011, the Codification Division has conducted the Regional Courses in International Law as a necessary cost-saving measure to increase the number of fellowships and better meet the increasing demand for international law training. All administrative, financial and practical arrangements, such as travel and accommodations, were previously entrusted to the United Nations Institute for Training and Research, which required funding for its Professional and General Service staff members who performed those services over a period of approximately six months for each regional course. In 2016, the Codification Division used extrabudgetary resources to recruit a temporary General Service staff member to handle the increase in administrative, financial and logistical matters resulting from the four training courses being conducted by the Division for the first time in the history of the Programme of Assistance.

[5] Nearly 250 applications were received from 39 Member States. The participants were from the following Member States: Botswana, Burkina Faso, Burundi, Cameroon, Chad, Congo, Democratic Republic of the Congo, Egypt, Ethiopia, Eritrea, Gambia, Ghana, Kenya, Malawi, Mauritius, Namibia, Nigeria, Rwanda, South Sudan, Swaziland, Uganda, United Republic of Tanzania and Zimbabwe. The participants included lawyers working for various government offices (including ministries of foreign affairs and justice, as well as offices of attorneys general and presidents), regional organizations (including the African Union) and academic institutions.

Counsel, Permanent Court of Arbitration); and "International humanitarian law" and "International criminal law" (K. Riordan, Chief Judge, Court Martial of New Zealand, Judge Advocate General, Armed Forces of New Zealand, and Lecturer, Victoria University of Wellington). The Legal Counsel of the African Union, Vincent Nmehielle, also provided a briefing on the work of the African Union in the field of international law.

2. Asia-Pacific

12. The Regional Course in International Law for Asia-Pacific is scheduled to be held from 7 November to 2 December 2016 in Bangkok. The course will be conducted in English.

13. The following seminars will be given during the Regional Course (in chronological order): "Introduction to international law" (A. Pellet, Emeritus Professor, University of Paris Ouest Nanterre La Défense, and former Member, International Law Commission); "International environmental law" and "International organizations" (L. Boisson de Chazournes, Professor, University of Geneva); "International human rights law" (V. Muntarbhorn, Professor, Chulalongkorn University, Bangkok); "Law of treaties" and "State responsibility" (S. Villalpando, Chief, Treaty Section, Office of Legal Affairs); "The current international law challenges and opportunities for Asia-Pacific" and "Human security" (H. Owada, Judge, International Court of Justice); "International peace and security" (Sir M. Wood, Senior Fellow, Lauterpacht Centre, University of Cambridge, and Member, International Law Commission); "Peaceful settlement of international disputes" (B. Daly, Deputy Secretary-General and Principal Legal Counsel, Permanent Court of Arbitration); "International humanitarian law" and "International criminal law" (K. Riordan, Chief Judge, Court Martial of New Zealand, Judge Advocate General, Armed Forces of New Zealand, and Lecturer, Victoria University of Wellington); "International trade law" and "International investment law" (M. M. Mbengue, Professor, University of Geneva); and "Codification and progressive development of international law: the work of the International Law Commission" and "Law of the sea" (S. Murphy, Professor, George Washington University Law School, and Member, International Law Commission).

3. Latin America and the Caribbean

14. For the first time in more than a decade, the Regional Course in International Law for Latin America and the Caribbean took place in Uruguay in 2016. The Regional Course was held at the Instituto Artigas del Servicio Exterior of the Ministry of Foreign Affairs of Uruguay in Montevideo from 4 to 29 April 2016. It was conducted in English. A total of 22 participants (12 men and 10 women) attended the course, with 19 fellowship participants and 3 self-funded participants.[6]

[6] A total of 103 applications were received from 26 Member States. The participants were from the following Member States: Antigua and Barbuda, Argentina, Barbados, Belize, Bolivia (Plurinational State of), Brazil, Chile, Dominican Republic, Ecuador, El Salvador, Guyana, Jamaica, Mexico, Nicaragua, Paraguay, Peru, Saint Vincent and the Grenadines, Trinidad and Tobago, Uruguay and Venezuela (Bolivarian Republic of). The participants included lawyers working for various government offices (including ministries of foreign affairs and justice), the judiciary, regional organizations (including the Organization of Eastern Caribbean States) and academic institutions.

15. The seminars for the Regional Course consisted of (in chronological order): "The contribution of Latin American doctrine to the development of international law" (Inaugural Lecture) (A. A. Cançado Trindade, Judge, International Court of Justice); "Introduction to international law" (J. Viñuales, Professor, University of Cambridge); "International human rights law" (D. Stewart, Associate Legal Officer, Codification Division, Office of Legal Affairs); "International peace and security" (D. Tladi, Professor, University of Pretoria, and Member, International Law Commission); "Law of the sea" (T. Treves, Professor, University of Milan, and former Judge, International Tribunal for the Law of the Sea); "The work of the International Law Commission" and "Introduction to the law and institutions of the Organization of American States" (M. Vázquez-Bermudez, Alternate Representative of Ecuador to the Organization of American States, and Member, International Law Commission); "International humanitarian law" and "International criminal law" (K. Riordan, Chief Judge, Court Martial of New Zealand, Judge Advocate General, Armed Forces of New Zealand, and Lecturer, Victoria University of Wellington); "International trade law" (F. Morosini, Professor, Federal University of Rio Grande do Sul, Porto Alegre); "International investment law" (C. Giorgetti, Professor, University of Richmond School of Law); "International environmental law" (D. Bodansky, Professor, Arizona State University); "International organizations" (M. Pinto, Dean, University of Buenos Aires Law School); "Peaceful settlement of international disputes" (L. Caflisch, Honorary Professor, Graduate Institute of International and Development Studies, and Member, International Law Commission); and "Law of treaties" and "State responsibility" (S. Villalpando, Chief, Treaty Section, Office of Legal Affairs).

4. Permanent venues for the United Nations Regional Courses in International Law

16. Following the increase in the demand for international law training, the Codification Division considered identifying permanent venues for the Regional Courses in International Law in order to facilitate the organization of the courses on a regular basis in Africa, Asia-Pacific and Latin America and the Caribbean. Permanent venues would provide enhanced efficiency, cost savings and greater certainty with respect to the Regional Courses without precluding the possibility of holding such a course at another location.

17. Six Regional Courses in International Law for Africa were successfully conducted annually in Ethiopia from 2011 to 2016. Ethiopia has concluded the necessary host country agreement. In addition, the Economic Commission for Africa provides significant in-kind contributions that reduce the cost of the course, including the training venue, office space for United Nations staff and lecturers, dining facilities, equipment and transportation. The Economic Commission for Africa also provides essential assistance with respect to meeting services, administrative and financial services, information technology support, procurement, security, medical facilities and protocol. The cooperation provided by the Economic Commission for Africa reduces the need to recruit additional staff to perform those functions and lessens the burden on the Office of Legal Affairs resulting from the increase in the number of training courses held per year. Ethiopia would provide a suitable venue for the Regional Course for Africa.

18. Three Regional Courses in International Law for Asia-Pacific were successfully conducted in Thailand in 1986, 2005 and 2012. Thailand has concluded the necessary host country agreement.

19. In 2017, the Regional Course in International Law for Latin America and the Caribbean will be conducted at the Economic Commission for Latin America and the Caribbean (ECLAC) in Santiago. ECLAC will provide extensive administrative and financial assistance in the organization of the Regional Course.

C. United Nations International Law Seminar for Arab States

20. The United Nations International Law Seminar for Arab States was organized by the Codification Division, in cooperation with the Government of Egypt and the League of Arab States. The Seminar, which was conducted in English, was held at the Ministry of Foreign Affairs of Egypt in Cairo from 15 to 19 November 2015, and provided a one-week intensive training course for government lawyers and lawyers working for the League of Arab States. A total of 24 self-funded participants (14 men and 10 women) attended the course.[7]

21. The courses for the United Nations International Law Seminar for Arab States consisted of (in chronological order): "The importance of international law for Arab States" and "Self-determination in international law" (A. Yusuf, Vice-President, International Court of Justice); "International law" (S. Murphy, Professor, George Washington University Law School, and Member, International Law Commission); "International human rights law" (Sir N. Rodley, Professor, University of Essex, and Member and former Chair, Human Rights Committee); and "International humanitarian law" and "International criminal law" (K. Riordan, Chief Judge, Court Martial of New Zealand, Judge Advocate General, Armed Forces of New Zealand, and Lecturer, Victoria University of Wellington). In addition, the following briefings were organized: "Introduction to the work of the International Law Commission" and "Introduction to the League of Arab States" (H. Hassouna, Ambassador, and Member, International Law Commission); and "Crimes against humanity" (S. Murphy).

22. The seminar was funded by voluntary contributions from Qatar ($5,000), Saudi Arabia ($15,000) and the United Arab Emirates ($10,000), as well as in-kind contributions from Egypt.

23. The International Law Seminar for Arab States that was planned for 2016 was cancelled owing to insufficient funding.

D. African Institute of International Law

24. The African Institute of International Law promotes teaching, dissemination and advanced research in international law, the law of the African Union and other regional organizations, provides capacity-building for faculties of law in African universities by strengthening their research and teaching capabilities in the field of international law and serves as a think tank for African continental and regional organizations in the field of international law.

[7] A total of 45 applications were received from 18 Member States that are also members of the League of Arab States, as well as the Non-member Observer State of Palestine. The participants were from: Egypt, Jordan, Lebanon, Libya, Oman, Qatar, Saudi Arabia, State of Palestine, Tunisia, United Arab Emirates and Yemen. The participants included lawyers working for various government ministries, the League of Arab States and academic institutions.

Pursuant to General Assembly resolution 70/116, the Codification Division continued to cooperate with and provide guidance, upon request, to the African Institute of International Law, in Arusha, with respect to building its research library for African scholars and practitioners, as well as its training seminars on specific topics of international law and African Union law for government officials and practitioners.[8] In that regard, the Secretary of the Advisory Committee on the Programme of Assistance participated in a planning mission conducted by the African Institute in Ghana for the purpose of the organization of an international law seminar in Ghana for academics from African universities to promote capacity-building throughout the region and to commemorate the fiftieth anniversary of the Programme of Assistance. The first International Law Seminar for African Universities was held from 15 to 26 August 2016 at the Kofi Annan International Peacekeeping Training Centre in Accra. The seminar was planned, organized and conducted with guidance and cooperation provided by the Codification Division, in particular with regard to dissemination and study materials.

25. The Seminar was funded by voluntary contributions from China ($20,000), Finland ($20,000), Italy ($20,000), New Zealand ($NZ 30,000) and Sweden ($25,000), as well as in-kind contributions from the Centre. Those contributions were made to the African Institute. The African Union also provided financial support for the seminar ($20,000).

E. United Nations Audiovisual Library of International Law

26. Traditional training courses offer unique advantages in terms of promoting in-depth discussions, interaction and cooperation among participants. In response to the increasing demand for international law training that could not be met solely by its traditional training courses, the Codification Division created the United Nations Audiovisual Library of International Law in 2008. The Audiovisual Library gives the United Nations the capacity to provide, at a relatively low cost, high-quality training to an unlimited number of individuals and institutions around the world free of charge through the Internet.

27. The Audiovisual Library is a virtual training and research centre with more than 400 leading international law scholars, judges and practitioners from different countries and legal systems who contribute to its three pillars: the Lecture Series, the Historic Archives and the Research Library. The Lecture Series contains more than 400 lectures accompanied by lists of related materials linking to reference documents available online. The Lecture Series contains individual lectures on a broad range of specific topics of international law and series of lectures on core topics of international law. The series of lectures and related legal materials are intended to provide a more comprehensive educational resource for academic institutions and government training centres in developing countries. The Historic Archives contains introductory notes by leading authorities, as well as procedural histories, related documents and archival audiovisual materials prepared by the Codification Division on almost 100 legal instruments.[9] The Research Library provides an extensive online

[8] For more information on the African Institute of International Law and its training seminars, see www.aiil-iadi.org.

[9] Legal materials for the Historic Archives and the Lecture Series are provided in all official languages of the Organization.

library consisting of treaties, jurisprudence, publications, documents, scholarly writings and training materials.

28. Since its creation in 2008, the Audiovisual Library has been accessed by more than 1.3 million users in 193 Member States and non-Member States. The Audiovisual Library was created primarily for the benefit of lawyers in developing countries.[10] However, it continues to be accessed primarily by lawyers in developed countries. The limited number of users in developing countries is due to a lack of awareness of the resource and to the technology gap in terms of limited access to computers, electricity and reliable high-speed Internet. The Division is currently exploring the possibility of making the lectures in the Lecture Series available as podcasts or in another downloadable format in order to make them more accessible to users who experience problems streaming them in developing countries. In the meantime, the Codification Division will make lectures available on DVDs and USB flash drives to law schools or institutions in developing countries, upon request, depending on available resources. In December 2015, a collection of lectures on DVDs was prepared for the China Youth University of Political Studies, in Beijing, which had had difficulty accessing the lectures using the Internet.

29. In an effort to promote greater awareness of the Audiovisual Library, the Codification Division gave presentations on the Audiovisual Library at the meetings of the Sixth Committee in the context of its consideration of the item on the Programme of Assistance, at the International Law Seminar for Arab States in Cairo, at the Regional Courses in International Law in Ethiopia and in Uruguay and at the International Law Fellowship Programme in the Netherlands.

F. International law training materials

30. The Codification Division researches, collects and prepares legal materials in hard copy, in consultation with the lecturers, for its international law training courses.[11] In addition, CD-ROMs and USB flash drives containing the training materials and legal publications of the Division and other international law materials are provided to facilitate electronic research for participants in developing countries with limited access to the Internet.[12] The training materials are also made available on the websites of the respective training courses and on the website of the United Nations Audiovisual Library of International Law free of charge for academic use. The Codification Division is currently preparing a handbook on international law in English and French containing a collection of legal materials for its training courses and for distribution to academic institutions and government training centres in developing countries. It is also exploring the possibility of cooperating with universities and enlisting the

[10] The Audiovisual Library has been accessed by about 88,000 users in Africa, 270,000 in Asia-Pacific and 66,000 in Latin America and the Caribbean.

[11] In 2016, the Codification Division prepared training materials for the International Law Seminar for Arab States, the International Law Fellowship Programme and the Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean. It wishes to express its appreciation to the American Society of International Law and Oxford University Press for the use of scholarly writings for academic purposes as part of the training materials provided to the participants in the courses.

[12] The Codification Division is now required to purchase its legal publications and other essential United Nations publications, including the Charter of the United Nations, for use in its training courses.

assistance of interns and research assistants for the preparation of the handbook in other official languages.

G. Desktop publishing

31. In 2003, the Codification Division began using desktop publishing, on a voluntary basis and subject to available resources, to expedite the issuance of some of its legal publications and to make them available to the international legal community in a timely manner. By 2013, the Codification Division had successfully eliminated the backlog of up to five years for several of its publications.[13] In 2014, the Codification Division discontinued its desktop publishing because of a lack of resources (necessary materials and staff) following the abolition of a General Service post that year. Consequently, none of the publications listed in paragraph 41 of A/68/521 were issued in 2014, 2015 or to date in 2016. In its resolution 70/116, the General Assembly once again expressed its appreciation for the desktop publishing initiative of the Codification Division during the period from 2003 to 2013, which greatly enhanced the timely issuance of its legal publications, regretted that none of the publications listed in the Secretary-General's report had been issued since 2014 and recommended that the necessary resources be made available to resume that successful initiative.[14] The Codification Division will continue to explore the possibility of resuming its desktop publishing for one or more of its publications, depending on resources.

32. The Codification Division is currently preparing a handbook on international law in English, using desktop publishing to ensure its timely issuance and thereby achieving greater efficiency and cost savings for its training courses. Given the lack of resources, desktop publishing is being funded on an exceptional basis through voluntary contributions.

H. Dissemination

33. The dissemination of legal publications and information through the Internet and other electronic media is intended to supplement the limited number of hard copies, without prejudice to the unique value of printed materials for legal research and education, in particular for lawyers in developing countries with limited access to the Internet. The materials are provided free of charge on the Internet to promote the teaching, study, dissemination and wider appreciation of international law (see annex).

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[13] The backlog was eliminated for the following publications: *United Nations Juridical Yearbook; United Nations Legislative Series; Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice; Reports of International Arbitral Awards;* and *The Work of the International Law Commission* (vols. 1 and 2).

[14] See also General Assembly resolutions 64/113 of 16 December 2009, 65/25 of 6 December 2010, 66/97 of 9 December 2011, 67/91 of 14 December 2012, 68/110 of 16 December 2013 and 69/117 of 10 December 2014.

I. Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea

34. Owing to a lack of voluntary contributions, no award was made in 2016 for the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea.[15] It was estimated that to award one fellowship, approximately $65,000 (including programme support costs and a mandatory reserve) would be required (see also para. 36). The final cost of each fellowship depends on several highly variable factors, including the stipend rates applicable in the cities of the host institutions, currency exchange rates, airfare and the duration of the fellowships. Those factors lead to differences in fellowship costs from year to year, which can range from approximately $50,000 to $70,000.

III. Guidelines and recommendations regarding the implementation of the Programme of Assistance in 2017

35. In 2017, the Codification Division plans to carry out the activities under the Programme of Assistance in accordance with the guidelines and recommendations contained in the report of the Secretary-General (see A/70/423, sect. III) and approved by the General Assembly in its resolution 70/116.

36. Regarding the Hamilton Shirley Amerasinghe Memorial Fellowship, the current fund balance is approximately $48,000, which is not sufficient to award a fellowship for 2017 unless additional voluntary contributions are received by November 2016.

IV. Administrative and financial implications of the Programme of Assistance

A. During 2016

37. In its resolution 70/116, the General Assembly authorized the Secretary-General to carry out, in 2016 and in 2017, the International Law Fellowship Programme and the Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean and to continue to develop the Audiovisual Library of International Law, to be financed from provisions in the regular budget and, when necessary, from voluntary contributions.

38. Regarding the funding provided for the Programme of Assistance, a total of $2,267,000 was included in the regular budget under section 8, Legal affairs,

[15] The administrative assistance initially provided by the Codification Division in the 1980s and early 1990s gradually decreased following the establishment of a permanent institution within the Office of Legal Affairs, Division for Ocean Affairs and the Law of the Sea, which is entrusted with matters related to the law of the sea, including technical capacity-building, to avoid duplication of work and to ensure the proper administration of the fellowship. In recent years, the fellowship has been administered solely by the Division for Ocean Affairs and the Law of the Sea as part of its provision of technical capacity-building with respect to the law of the sea. Additional information on the Hamilton Shirley Amerasinghe Memorial Fellowship will be provided in the annual report of the Secretary-General on oceans and the law of the sea, which will be considered under the agenda item entitled "Oceans and the law of the sea".

subprogramme 3, Progressive development and codification of international law, of the programme budget for the biennium 2016-2017 for the International Law Fellowship Programme, the Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean and the Audiovisual Library of International Law.

39. The General Assembly reiterated its request to Member States and interested organizations, institutions and individuals to make voluntary contributions towards the financing of the Programme of Assistance or to otherwise assist in its implementation and possible expansion. Accordingly, on 5 February 2016, a note verbale was sent to Member States to draw their attention to resolution 70/116.

40. Since the previous report, voluntary contributions have been received for the following activities under the Programme of Assistance: (a) the Audiovisual Library from Austria ($2,000), Ecuador ($5,000), Ireland ($5,000), Italy ($5,000), Mexico ($5,000) and Switzerland ($25,000); and (b) the International Law Fellowship Programme from Ireland ($3,000).

41. With regard to the International Law Fellowship Programme, the Registry of the International Court of Justice provided office space and equipment for staff of the Codification Division and essential administrative and logistical support for the Programme. The International Criminal Tribunal for the former Yugoslavia also provided financial and administrative support for the Programme. The Hague Academy of International Law provided a reduced tuition rate for the fellows. The Carnegie Foundation provided a seminar room and related equipment for staff of the Codification Division and lecturers.

42. Regarding the Regional Course in International Law for Africa, the Economic Commission for Africa provided a seminar room, offices, equipment and administrative assistance, as well as transportation for lecturers, participants and Codification Division staff. The Permanent Court of Arbitration covered the travel costs of its Deputy Secretary-General, who taught the course on "Peaceful settlement of international disputes".

43. Regarding the Regional Course in International Law for Latin America and the Caribbean, the Government of Uruguay provided a seminar room, offices, equipment and administrative assistance, as well as transportation for lecturers, participants and Codification Division staff. In addition, it organized several cultural visits. The United Nations Development Programme provided administrative, financial and logistical assistance.

44. In addition, publications (electronic and/or hard copy) were provided free of charge to the participants in the various training courses by the following entities: Department of Public Information, Office of the United Nations High Commissioner for Human Rights, International Criminal Court, International Committee of the Red Cross, International Centre for the Settlement of Investment Disputes, University of Pretoria and Ministry of Foreign Affairs and Trade of New Zealand. Various entities, publishers and law journals granted permission to include scholarly articles free of charge in the study materials provided to the participants in the training courses (see para. 30).

Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea

45. Since the previous report, the following States have made contributions to the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea: Ireland ($3,000) and Monaco ($16,661).

B. During 2017

46. As noted above, with regard to the International Law Fellowship Programme, the Regional Courses in International Law and the Audiovisual Library of International Law, a total of $2,267,000 was included in the regular budget under section 8, Legal affairs, subprogramme 3, Progressive development and codification of international law, of the programme budget for the biennium 2016-2017.

47. As in the case of the International Law Fellowship Programme, the Codification Division will continue to make every effort to achieve cost savings to maximize the number of fellowships provided by the regular budget for the Regional Courses to meet the increasing demand for international law training. The Codification Division will also seek voluntary contributions to award additional fellowships and consider admitting self-funded participants.

1. International Law Fellowship Programme and United Nations Regional Courses in International Law

48. The resources included in the programme budget will provide for the International Law Fellowship Programme and the three United Nations Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean to be conducted in 2017 in accordance with General Assembly resolution 70/116. The resources will provide fellowships (covering travel, accommodation, health insurance, study materials and a stipend for living expenses) for a minimum of 20 lawyers from developing countries and countries with emerging economies to attend the training courses. Fellowships for additional participants may be funded by voluntary contributions. Participants may also be admitted on a self-funded basis.

2. United Nations Audiovisual Library of International Law

49. The resources included in the programme budget will provide for the two full-time general temporary assistance positions (one P-3 Legal Officer and one General Service (Other level) Video Editing Assistant) required to ensure the continuation and further development of the Lecture Series of the Audiovisual Library of International Law in 2017.

50. The programme budget will also be used for the travel of staff to conduct off-site recordings of numerous lectures at various locations around the world. Such recordings are undertaken to promote broader geographical and linguistic representation of the recorded lectures and to record lecturers who are unable to travel to New York to record owing to advanced age, health reasons or financial constraints.

51. In addition, the resources will be used to obtain the necessary technical supplies and materials and for the digitization of some historical audio and film recordings.

52. Extrabudgetary resources will be utilized to promote greater access to the Audiovisual Library in developing countries and to develop the Historic Archives of the Audiovisual Library (including staff and digitization of additional audiovisual materials).

53. The Secretary-General would continue, if the General Assembly so decides, to request voluntary and in-kind contributions to the Programme of Assistance, in particular to provide for additional fellowships for the Regional

Courses in International Law, the preparation of the handbook in additional languages and the Audiovisual Library of International Law.

V. Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

A. Membership

54. The General Assembly, by its resolution 70/116, appointed the following 25 Member States as members of the Advisory Committee for the period from 1 January 2016 to 31 December 2019: Argentina, Canada, Chile, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Italy, Kenya, Lebanon, Malaysia, Mexico, Nigeria, Pakistan, Portugal, Russian Federation, Singapore, Slovakia, Sudan, Trinidad and Tobago, United Republic of Tanzania, United States of America and Uruguay.

B. Consideration of the report of the Secretary-General by the Advisory Committee at its fifty-first session

55. The fifty-first session of the Advisory Committee, held on 4 October 2016, was chaired by the Permanent Representative of Ghana to the United Nations, Martha Ama Akyaa Pobee.

56. A Principal Legal Officer of the Codification Division, Virginia Morris, served as Secretary of the Advisory Committee.

57. The following members of the Committee were present on 4 October: Canada, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Italy, Kenya, Lebanon, Malaysia, Portugal, Russian Federation, Singapore, Sudan, Trinidad and Tobago and United States of America. Thailand attended the meeting as an observer in its capacity as host country for the Regional Course in International Law for Asia-Pacific.

58. The Secretary of the Advisory Committee made a statement in which she updated the information contained in the draft report and drew attention to the continuing efforts to strengthen the activities under the Programme of Assistance. In particular, she drew attention to the progress made in the preparation of the handbook in international law, which would be used for the training courses and for distribution to academic institutions and government training centres in developing countries.

59. The Advisory Committee commended the Codification Division for its efforts in implementing and further strengthening the activities under the Programme of Assistance and expressed its appreciation for the preparation of the handbook on international law. In that regard, it was noted that the preparation of that publication depended on voluntary contributions.

Annex

Websites maintained by the Codification Division

Website	*Uniform resource locator*
United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law	www.un.org/law/programmeofassistance
International Law Fellowship Programme	www.un.org/law/ilfp
United Nations Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean	www.un.org/law/rcil
United Nations International Law Seminar for Arab States	http://legal.un.org/poa/seminar.html
United Nations Audiovisual Library of International Law	www.un.org/law/avl
United Nations legal publications portal	http://legal.un.org/cod/publications.shtml
Repertory of Practice of United Nations Organs	http://legal.un.org/repertory/
United Nations Juridical Yearbook	http://legal.un.org/unjuridicalyearbook/
Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice	http://legal.un.org/icjsummaries/
Summaries of Judgments, Advisory Opinions and Orders of the Permanent Court of International Justice	http://legal.un.org/PCIJsummaries
Reports of International Arbitral Awards	http://legal.un.org/riaa/
United Nations Legislative Series	http://legal.un.org/legislativeseries
Codification and Progressive Development of International Law	http://legal.un.org/cod/
Sixth Committee of the General Assembly	www.un.org/en/ga/sixth
International Law Commission	http://legal.un.org/ilc
Diplomatic conferences (official records of proceedings)	http://legal.un.org/diplomaticconferences
Rome Statute of the International Criminal Court	www.un.org/law/icc
Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization	http://legal.un.org/committees/charter/
Ad Hoc Committee on Criminal Accountability of United Nations Officials and Experts on Mission	http://legal.un.org/committees/criminal_accountability/

Website	*Uniform resource locator*
Ad Hoc Committee on the Administration of Justice at the United Nations	http://legal.un.org/committees/admin_of_justice/
Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996	http://legal.un.org/committees/terrorism/
Ad Hoc Committee on Jurisdictional Immunities of States and Their Property	http://legal.un.org/committees/immunities/
Ad Hoc Committee on an International Convention against the Reproductive Cloning of Human Beings	http://legal.un.org/committees/cloning/
Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel	http://legal.un.org/committees/safety_convention/

United Nations A/71/433

General Assembly

Distr.: General
5 October 2016

Original: English

Seventy-first session
Agenda item 121
Revitalization of the work of the General Assembly

Letter dated 30 September 2016 from the Permanent Representative of Latvia to the United Nations addressed to the Secretary-General

I have the honour to transmit a letter by Māris Kučinskis, Prime Minister of the Republic of Latvia, informing about the decision to support the candidate nominated by the Government of Bulgaria, Kristalina Georgieva, for the position of Secretary-General of the United Nations (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly under agenda item 121.

(*Signed*) Jānis **Mažeiks**
Ambassador
Permanent Representative

16-17261 (E) 071016

Please recycle

Annex to the letter dated 30 September 2016 from the Permanent Representative of Latvia to the United Nations addressed to the Secretary-General

Referring to the decision by the Government of the Republic of Bulgaria to nominate Ms. Kristalina Georgieva for the position of the next Secretary-General of the United Nations, I have the honour to convey Latvia's full support for this candidate.

Latvia shares the aspirations of the United Nations family, as stated in General Assembly resolution 69/321, to look for the best possible candidate, who embodies the highest standards of efficiency, competence and integrity and demonstrates a firm commitment to the purposes and principles of the United Nations.

I am convinced that Ms. Georgieva combines all those qualities that make her the best candidate for the post of Secretary-General of the United Nations.

Ms. Georgieva has solid international experience and knowledge, which will contribute significantly to her performance as the Secretary-General. Her impressive record of work in the fields of social development, international cooperation, humanitarian aid and crisis response makes us confident that she is well suited to properly address the challenges faced by the global community.

Her current job as Vice-President for Budget and Human Resources in the European Commission as well as her job as Commissioner for Humanitarian Aid and Civil Protection (2010-2014) clearly demonstrate her leadership and consensus-building skills. She embodies the strategic thinking necessary to navigate today's challenges successfully at the United Nations, as clearly demonstrated during her tenure in the World Bank Group.

While merit must be the primary consideration, Latvia firmly believes in the value of equitable geographical representation for top-level positions at the United Nations. We also note the importance of giving due consideration to gender equality when choosing the next Secretary-General. Ms. Georgieva meets those expectations.

For all these reasons, we are confident that the candidature of Ms. Georgieva would meet the approval of the States Members of the United Nations.

(*Signed*) Māris **Kučinskis**

United Nations A/71/434

General Assembly

Distr.: General
5 October 2016
English
Original: Russian

Seventy-first session
Agenda item 69 (d)
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: strengthening of international cooperation and coordination of efforts to study, mitigate and minimize the consequences of the Chernobyl disaster

Letter dated 29 September 2016 from the Permanent Representative of Kyrgyzstan to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the statement made by the Heads of State of the States members of the Commonwealth of Independent States (CIS) to commemorate the thirtieth anniversary of the accident at the Chernobyl nuclear power station, signed on 16 October 2015 in Kazakhstan at the summit meeting of the CIS countries (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 69 (d).

(*Signed*) Mirgul **Moldoisaeva**
Permanent Representative of the Kyrgyz Republic
to the United Nations

16-17264 (E) 061016 111016

Please recycle

Annex to the letter dated 29 September 2016 from the Permanent Representative of Kyrgyzstan to the United Nations addressed to the Secretary-General

Statement by the Heads of State of the States members of the Commonwealth of Independent States to commemorate the thirtieth anniversary of the accident at the Chernobyl nuclear power station

The date of 26 April 2016 marks the thirtieth anniversary of one of the most serious man-made disasters, the accident at the Chernobyl nuclear power station. In resolution 58/119, the United Nations General Assembly welcomed the decision of the Council of Heads of State of the Commonwealth of Independent States (CIS) to proclaim 26 April the International Day Commemorating Victims of Radiation Accidents and Catastrophes and invited Member States of the United Nations to observe this Day.

Belarus, Russia and Ukraine bore the brunt of the consequences of the Chernobyl accident. The courage and self-sacrifice of the hundreds of thousands of disaster relief workers at the Chernobyl nuclear power station from all of the republics which were part of the Soviet Union exemplify clearly the brotherhood and solidarity of our peoples who, heroically and at the cost of their health and lives, protected the population of the region from the devastating effects of radiation. We pay tribute to all of the veterans of Chernobyl and call for full cooperation to address problems arising as a result of their involvement in the Chernobyl disaster clean-up efforts.

Today there are internationally recognized schools of science, state-of-the-art production of special measurement equipment, new technologies for the construction and operation of high security radiation facilities, and a sophisticated system of legislation, medical and social protection, monitoring of radioactive contamination and agricultural and forestry management. Nevertheless, despite the progress made, the aftermath of the Chernobyl disaster still affects the lives of some of the population living in the contaminated areas. In this regard, we welcome efforts by the international community, including the CIS member States, to carry out a project to build a protective structure for the Chernobyl nuclear power station.

We are pleased to note that the third decade following the Chernobyl disaster, which has been proclaimed by the United Nations General Assembly as the Decade of Recovery and Sustainable Development of the Affected Areas, has seen the implementation of international programmes and projects which have successfully complemented the efforts of the Governments of the affected States to develop radiological and environmental education, disseminate information on living safely in areas contaminated by radiation and increase the local population's involvement in addressing specific socioeconomic problems in areas affected by the accident at the Chernobyl nuclear power station.

By observing 26 April as the International Day Commemorating Victims of Radiation Accidents and Catastrophes and paying tribute to the memory of those who lost their lives as a result of the Chernobyl tragedy, we are reaffirming the resolve to continue efforts to overcome the consequences of the Chernobyl disaster.

Given that we continue to face natural and man-made challenges and threats of an urgent nature in the contemporary world, we call upon the international community to continue to cooperate in tackling and minimizing them, applying tried and tested forms of collaboration which facilitate the implementation of targeted programmes, projects and initiatives that complement the broader efforts by States to advance the socioeconomic development of affected areas.

16 October 2015
Burabai, Republic of Kazakhstan

United Nations A/71/435–S/2016/826

General Assembly
Security Council

Distr.: General
5 October 2016
English
Original: Arabic

General Assembly
Seventy-first session
Agenda item 34
The situation in the Middle East

Security Council
Seventy-first year

Identical letters dated 19 September 2016 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations of Security Council resolution 1701 (2006) committed during the month of August 2016 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 34, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

16-17275 (E) 111016 111016

Please recycle

Annex to the identical letters dated 19 September 2016 from the Permanent Representative Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Land violations committed in August 2016

Date	*Time*	*Nature of violation*
4 August	2045	From inside occupied Palestinian territory, an Israeli enemy patrol comprising two Humvee vehicles fitted with searchlights intermittently directed those searchlights towards Lebanese territory as the patrol was travelling between the Salhah and Dovev positions to inspect the barbed-wire fence.
9 August	0900	From inside occupied Palestinian territory opposite the town of Udaysah, an Israeli enemy patrol comprising a Hummer vehicle and a Defender vehicle approached, and five personnel disembarked to perform maintenance on the technical fence. Personnel from the patrol also aimed a 12.7 mm machine gun mounted on the Hummer vehicle towards Lebanese territory. At 1020 hours, the patrol left in the direction of occupied territory.
13 August	1445	At the Arid location opposite the Hasan Gate on the outskirts of Kafr Shuba, three members of an Israeli enemy patrol that was concealed inside the occupied Shab'a Farms violated the line of withdrawal (the Blue Line that demarcates area with regard to which Lebanon maintains a claim), crossing some 20 metres into Lebanese territory. They tried unsuccessfully to abduct the shepherd Jihad Dhiyab while the rest of the patrol took up combat positions inside the occupied Shab'a Farms.
15 August	0800	Inside the occupied Shab'a Farms opposite Birkat al-Naqqar, the Israeli enemy engaged in road-building and engineering work between observation points OP2 and OP3 belonging to the Indian contingent of the United Nations Interim Force in Lebanon (UNIFIL). The enemy carried out the work using four excavators escorted by four Hummer vehicles, a personnel carrier and a Merkava tank. Some 50 personnel took up combat positions. The Israeli enemy finished its work at 1900 hours.
	1100	Inside occupied Palestinian territory opposite the Kafr Killa-Udaysah road, an Israeli enemy patrol comprising a Hummer vehicle and a Defender vehicle approached. Eight personnel disembarked to perform maintenance on the technical fence without violating the Blue Line. Two of the patrol personnel aimed their weapons at a Lebanese Army patrol.
16 August	0740	The Israeli enemy continued the work begun on 15 August outside the technical fence between the UNIFIL Indian contingent's observation points OP2 and OP3. The enemy carried out the work using four excavators escorted by four Hummer vehicles, a troop carrier and a Merkava tank. The Israeli enemy finished its work at 1900 hours.
17 August	1455 1730	The Israeli enemy continued the work begun on 15 August inside the occupied Shab'a Farms outside the technical fence at the Saddanah location opposite the UNIFIL Indian contingent's observation point OP3. The enemy carried out the work using a bulldozer and a Poclain to level a stretch of approximately 550 metres of the Jabal Saddanah road.

Date	*Time*	*Nature of violation*
	2000	From inside occupied Palestinian territory opposite the town of Mays al-Jabal at the Ruwaysah position, the Israeli enemy positioned a Raccoon Stalker vehicle with a surveillance camera aimed towards Lebanese territory.
18 August	0800	The Israeli enemy continued the work begun on 15 August outside the technical fence at the Saddanah location near the UNIFIL Indian contingent's observation point OP3 towards Birkat al-Naqqar. The enemy carried out the work using three excavators and a D9 bulldozer escorted by a Merkava tank and some 30 personnel. The bulldozer and excavators worked on the dirt road between the UNIFIL Indian contingent's observation point OP2 and Birkat al-Naqqar outside the technical fence, escorted by some 20 personnel. The Israeli enemy finished its work at 1745 hours.
21 August	0800	The Israeli enemy continued the work begun on 15 August outside the technical fence at the Saddanah location near the UNIFIL Indian contingent's observation point OP3 towards Birkat al-Naqqar. The enemy carried out the work using four excavators and three D9 bulldozers escorted by three Merkava tanks and some 50 personnel. The Israeli enemy finished its work at 1900 hours.
	0845	Inside occupied territory opposite the town of Rumaysh between points B38-1 and B39 near the Khallat al-Budiyah-1 post, two jackhammer vehicles crossed the technical fence without violating the Blue Line in order to widen and smooth the dirt road. The Israeli enemy finished its work at 1940 hours, but the vehicles remained at the location.
22 August	0800	The Israeli enemy continued the work begun on 15 August outside the technical fence at the Saddanah location near the UNIFIL Indian contingent's observation point OP3 towards Birkat al-Naqqar. The enemy carried out the work using four excavators and three D9 bulldozers escorted by two Merkava tanks, five Defender vehicles, five Hummer vehicles and some 50 personnel, who took up combat positions. The Israeli enemy finished its work at 1900 hours.
	1830	Several explosions were heard inside the occupied Shab'a Farms.
23 August	0800	The Israeli enemy continued the work begun on 15 August outside the technical fence at the Saddanah and Jabal al-Shahal locations towards Birkat al-Naqqar. The enemy carried out the work using 13 engineering vehicles escorted by three Merkava tanks, six Defender vehicles and six Hummer vehicles. The personnel deployed and took up combat positions. The Israeli enemy finished its work at 1900 hours.
24 August	0800	The Israeli enemy continued the work begun on 15 August outside the technical fence at the Saddanah and Jabal al-Shahal locations towards Birkat al-Naqqar. The enemy carried out the work using a D9 bulldozer and six excavators escorted by two Merkava tanks, two Hummer vehicles and some 40 personnel who deployed and took up combat positions. The Israeli enemy finished its work at 1830 hours.
	1215	Several explosions were heard inside the occupied Shab'a Farms.

Date	*Time*	*Nature of violation*
25 August	0800	The Israeli enemy continued the work begun on 15 August inside the occupied Shab'a Farms outside the technical fence at the Saddanah and Jabal al-Shahal locations. The enemy carried out the work using three D9 bulldozers and four excavators escorted by a hostile patrol comprising two Merkava tanks and six jeeps. The patrol personnel deployed on the surrounding hills and near where the work was being done. The enemy finished its work at the Saddanah location at 1300 hours, but continued working at the Jabal al-Shahal location until 1630 hours, after which the patrol and vehicles withdrew in the direction of occupied territory.
28 August	0800 1900	The Israeli enemy continued the work begun on 15 August outside the technical fence at the Saddanah and Jabal al-Shahal locations. The enemy carried out the work using two D9 bulldozers and five excavators escorted by a hostile patrol comprising three Merkava tanks and six Defender vehicles. The patrol personnel deployed on the surrounding hills and near the locations where the work was being done. The Israeli enemy subsequently finished its work and the vehicles left in the direction of occupied territory.
29 August	0800	On the outskirts of the town of Abbasiyah-Hasbayya opposite the mosque, an Israeli enemy excavator extended its boom some three and a half metres over the technical fence to the line of withdrawal (the Blue Line that demarcates area with regard to which Lebanon maintains a claim). It smoothed over dirt and cleared dry brush. It was escorted by a hostile patrol comprising a Defender vehicle, a Hummer vehicle and a civilian vehicle. The Israeli enemy finished work at 1200 hours and the vehicles withdrew in the direction of occupied territory.
	0800 1930	The Israeli enemy continued the work it had begun outside the technical fence at the Saddanah and Jabal al-Shahal locations. The enemy carried out the work using two D9 bulldozers and four excavators escorted by a hostile patrol comprising six Defender vehicles and three Merkava tanks. The patrol personnel deployed on the surrounding hills and near the locations where the work was being done. A six-coil barbed-wire fence was laid along the road from observation point OP3 to Birkat al-Naqqar. The Israeli enemy then finished its work and the vehicles left in the direction of occupied territory.
	1230	Near observation point OP3, the Israeli enemy laid a barbed-wire fence on the road that it had built on 28 August.
31 August	0830	The Israeli enemy continued the work begun on 15 August inside the occupied Shab'a Farms outside the technical fence at the Saddanah and Jabal Shahal locations. The enemy carried out the work using two D9 bulldozers, two excavators and 15 personnel, who installed a barbed-wire fence on the road between Birkat al-Naqqar and the UNIFIL Indian contingent's observation point OP3. They were escorted by a hostile patrol comprising two Merkava tanks, six jeeps and some 30 personnel. The enemy finished its work at 1600 hours and the patrol and vehicles left in the direction of occupied territory.

Sea violations committed in August 2016

Date	*Time*	*Nature of violation*
2 August	1826	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011) of 1 October 2011, for a three-minute period, and proceeded on its way for some 222 metres. The launch then left in the direction of occupied Palestinian territorial waters.
4 August	1830	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a three-minute period, and proceeded on its way for some 200 metres. The launch then left in the direction of occupied Palestinian territorial waters.
5 August	0658	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a two-minute period, and proceeded on its way for some 259 metres. The launch then left in the direction of occupied Palestinian territorial waters.
	1833	Opposite Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a one-minute period, and proceeded on its way for some 130 metres. The launch then left in the direction of occupied Palestinian territorial waters.
7 August	1933	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a four-minute period, and proceeded on its way for some 150 metres. The launch then left in the direction of occupied Palestinian territorial waters.
10 August	1826	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a two-minute period, and proceeded on its way for some 200 metres. The launch then left in the direction of occupied Palestinian territorial waters.
	2150	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a two-minute period, and proceeded on its way for some 400 metres. The launch then left in the direction of occupied Palestinian territorial waters.
11 August	1828	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a three-minute period, and proceeded on its way for some 205 metres. The launch then left in the direction of occupied Palestinian territorial waters.
12 August	0955	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a two-minute period, and proceeded on its way for some 260 metres. The launch then left in the direction of occupied Palestinian territorial waters.
13 August	0005	Off Ra's al-Naqurah, the crew of an Israeli enemy military launch directed a searchlight and loudspeaker warnings at Lebanese fishing vessels, fired eight military-weapons rounds to warn off fishermen, and launched a flare.

Date	*Time*	*Nature of violation*
	0118	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a one-minute period, and proceeded on its way for some 167 metres. The launch then left in the direction of occupied Palestinian territorial waters. At 0145 hours, it violated the boundary again, proceeding some 240 metres into Lebanese territorial waters for an eight-minute period. The launch then left in the direction of occupied Palestinian territorial waters.
14 August	0411	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), proceeding some 370 metres into Lebanese territorial waters over a seven-minute period, broadcasting over loudspeakers in Hebrew and sounding warning sirens. The launch then left in the direction of occupied Palestinian territorial waters.
	0415	From inside occupied Palestinian territorial waters off Ra's al-Naqurah, an Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for a two-minute period.
	0438	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a three-minute period, and proceeded on its way for some 204 metres. The launch then left in the direction of occupied Palestinian territorial waters.
	0501	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), proceeding some 333 metres into Lebanese territorial waters over a seven-minute period and broadcasting over loudspeakers in Hebrew. The launch then left in the direction of occupied Palestinian territorial waters.
	0516	From inside occupied Palestinian territorial waters off Ra's al-Naqurah, an Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for a three-minute period.
	0519	From inside occupied Palestinian territory at its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for a two-minute period.
15 August	1825	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a three-minute period, and proceeded on its way for some 260 metres. The launch then left in the direction of occupied Palestinian territorial waters.
18 August	1819	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a two-minute period, and proceeded on its way for some 200 metres. The launch then left in the direction of occupied Palestinian territorial waters.

Date	*Time*	*Nature of violation*
19 August	0140	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a 10-minute period, and proceeded on its way for some 150 metres. The launch then left in the direction of occupied Palestinian territorial waters.
	1834	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a two-minute period, and proceeded on its way for some 200 metres. The launch then left in the direction of occupied Palestinian territorial waters.
21 August	1242	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a two-minute period, and proceeded on its way for some 200 metres. The launch then left in the direction of occupied Palestinian territorial waters.
22 August	0555	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a three-minute period, and proceeded on its way for some 260 metres. The launch then left in the direction of occupied Palestinian territorial waters.
25 August	0706	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a 39-minute period, and proceeded on its way for some 295 metres. The launch then left in the direction of occupied Palestinian territorial waters.
	0805	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a 35-minute period, and proceeded on its way for some 295 metres. The launch then left in the direction of occupied Palestinian territorial waters.
	0818	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a 22-minute period, and proceeded on its way for some 295 metres. The launch then left in the direction of occupied Palestinian territorial waters.
26 August	0350	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a three-minute period, and proceeded on its way for some 205 metres. The launch then left in the direction of occupied Palestinian territorial waters. At 0355 hours, it violated the boundary again, for a two-minute period, and proceeded on its way for some 150 metres. It also directed a searchlight towards Lebanese territorial waters and sounded warning sirens. The launch then left again in the direction of occupied Palestinian territorial waters. At 0409 hours, it violated the boundary again, for a six-minute period, and proceeded on its way for some 480 metres. It also released two charges into Lebanese territorial waters. The launch then left in the direction of occupied Palestinian territorial waters.

Date	*Time*	*Nature of violation*
	0410	Off Ra's al-Naqurah, from inside occupied Palestinian territorial waters, the crew of an Israeli enemy military launch warned off two Lebanese fishing vessels with a loudspeaker and searchlight, and fired three military-weapons rounds in their direction over Lebanese territorial waters.
31 August	1850	Off Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree No. 6433 (2011), for a three-minute period, and proceeded on its way for some 150 metres. The launch then left in the direction of occupied Palestinian territorial waters.

Air violations committed in August 2016

Date	*Time*	*Nature of violation*
1 August	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq, Baalbek and the South before leaving at 2330 hours over Rumaysh.
	0805	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Beirut and its suburbs, Jubayl and Kasrawan before leaving at 1430 hours over the sea west of Naqurah.
	0835	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 1230 hours over Kafr Killa.
	1620	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 2310 hours over Naqurah.
2 August	1210	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1435 hours over Kafr Killa.
	1455	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek, Matn, Ba'abda, Beirut and Hirmil before leaving at 2325 hours over Alma al-Sha'b.
	2210	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 2310 hours over Alma al-Sha'b.
3 August	1700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1920 hours over Yarun.
4 August	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh, It circled over Beirut and its suburbs before leaving at 2220 hours over Alma al-Sha'b.
	1010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the Western Bekaa, the South, Riyaq and Baalbek before leaving at 1900 hours over Kafr Killa.

Date	*Time*	*Nature of violation*
	1030	Two Israeli enemy warplanes violated Lebanese airspace, entering over Aytarun. They circled over all regions of Lebanon before leaving at 1200 hours over Rumaysh.
	2100	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 0645 hours on 5 August over Rumaysh.
5 August	0630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and Beirut and its suburbs before leaving at 0020 hours on 6 August over Naqurah.
	0935	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 0010 hours on 6 August over Kafr Killa.
	1005	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa, They circled over all regions of Lebanon before leaving at 1200 hours over Rumaysh.
	2350	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 0115 hours on 6 August over Kafr Killa.
6 August	0210	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1010 hours over Alma al-Sha'b.
	1155	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq, Baalbek and the South before leaving at 2145 hours over Kafr Killa.
8 August	0630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq, Zahlah and the South before leaving at 2200 hours over Alma al-Sha'b.
	1015	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa, They circled over all regions of Lebanon before leaving at 1200 hours over Alma al-Sha'b.
9 August	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1640 hours over Kafr Killa.
	2035	An Israeli enemy reconnaissance aircraft violated Lebanese territory, entering over Kafr Killa. It circled over the Western Bekaa and the South before leaving at 0045 hours on 10 August over Rumaysh.
10 August	0915	An Israeli enemy reconnaissance aircraft violated Lebanese territory, entering over Aytarun. It circled over Baalbek, Hirmil, Zahlah and the Western Bekaa before leaving at 2055 hours over Rumaysh.
	0925	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 1600 hours over Aytarun.

Date	*Time*	*Nature of violation*
	0930	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South, Alayh, Ba'abda and Matn before leaving at 1325 hours over Naqurah.
	1030	Two Israeli enemy warplanes violated Lebanese airspace, entering over Rumaysh. They circled over all regions of Lebanon before leaving at 1155 hours over the sea west of Naqurah.
	1200	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Western Bekaa, the South, Matn, Riyaq and Baalbek before leaving at 0510 hours on 11 August over Naqurah.
11 August	0550	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Riyaq, Baalbek and the Western Bekaa before leaving at 1045 hours over Rumaysh.
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South, Riyaq, Baalbek, Zahlah and Hirmil before leaving at 1700 hours over Rumaysh.
	1020	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Shuf and the South before leaving at 1455 hours over Kafr Killa.
	1140	Four Israeli enemy warplanes violated Lebanese airspace, entering over Naqurah. They circled over all regions of Lebanon before leaving at 1250 hours over the sea west of Naqurah.
	1420	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1845 hours over Alma al-Sha'b.
	1500	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 2055 hours over Kafr Killa.
	1905	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Riyaq, Baalbek and Hirmil before leaving at 2320 hours over Rumaysh.
12 August	0810	An Israeli enemy reconnaissance aircraft violated Lebanese territory, entering over Kafr Killa. It circled over Riyaq, Baalbek, Hirmil, the Western Bekaa and the South before leaving at 1930 hours over Alma al-Sha'b.
	1530	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 2100 hours over Alma al-Sha'b.
13 August	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq, Baalbek and Hirmil before leaving at 1815 hours over Naqurah.

Date	*Time*	*Nature of violation*
14 August	1315	Two Israeli enemy warplanes violated Lebanese airspace, entering over the sea off Shikka. They circled over all regions of Lebanon before leaving at 1450 hours over Alma al-Sha'b.
	1640	Two Israeli enemy warplanes violated Lebanese airspace, entering over Alma al-Sha'b. They circled over all regions of Lebanon before leaving at 1755 hours over Alma al-Sha'b.
	1825	An Israeli enemy reconnaissance aircraft violated Lebanese territory, entering over Kafr Killa. It circled over Riyaq, Baalbek, the Western Bekaa and the South before leaving at 0615 hours on 15 August over Rumaysh.
15 August	0835	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 1840 hours over Kafr Killa.
	1910	An Israeli enemy reconnaissance aircraft violated Lebanese territory, entering over Kafr Killa. It circled over the South and the Western Bekaa before leaving at 2340 hours over Rumaysh.
16 August	0645	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1710 hours over Alma al-Sha'b.
	1320	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek, Hirmil and the South before leaving at 2300 hours over Alma al-Sha'b.
17 August	0620	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South, Zahlah, Riyaq and Baalbek before leaving at 2320 hours over Alma al-Sha'b.
	0820	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Beirut and its suburbs before leaving at 1540 hours over Alma al-Sha'b.
	1450	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa, They circled over all regions of Lebanon before leaving at 1555 hours over the sea west of Naqurah.
18 August	0630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South, the Western Bekaa, Riyaq and Baalbek before leaving at 2305 hours over Rumaysh.
	0755	An Israeli enemy reconnaissance aircraft violated Lebanese territory, entering over Kafr Killa. It circled over the South and the Western Bekaa before leaving at 1300 hours over Kafr Killa.
19 August	0915	An Israeli enemy reconnaissance aircraft violated Lebanese territory, entering over Kafr Killa. It circled over the South and the Western Bekaa before leaving at 1240 hours over Rumaysh.

Date	*Time*	*Nature of violation*
	1230	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 2020 hours over Rumaysh.
	1355	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1710 hours over Alma al-Sha'b.
	2335	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 0630 hours on 20 August over Naqurah.
20 August	0105	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 1645 hours over Rumaysh.
	0900	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Shuf, Riyaq, Baalbek and Hirmil before leaving at 1600 hours over Kafr Killa.
	1010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Shuf, Riyaq, Baalbek and Hirmil before leaving at 2000 hours over Kafr Killa.
21 August	1010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 2215 hours over Kafr Killa.
22 August	0600	An Israeli enemy reconnaissance aircraft violated Lebanese territory, entering over Kafr Killa. It circled over the South and the Western Bekaa before leaving at 0925 hours over Rumaysh.
	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek, the South and the Western Bekaa before leaving at 1830 hours over Kafr Killa.
	0940	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 1615 hours over Kafr Killa.
	1215	Two Israeli enemy warplanes violated Lebanese airspace, entering over Rumaysh. They circled over all regions of Lebanon before leaving at 1315 hours over Naqurah.
	1220	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa, They circled over all regions of Lebanon before leaving at 1420 hours over the sea west of Naqurah.
	1855	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 0645 hours on 23 August over Rumaysh.

Date	*Time*	*Nature of violation*
	2030	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Western Bekaa, the South, Baalbek, Bsharri and Jubayl before leaving at 0340 hours on 23 August over Kafr Killa.
23 August	1215	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Beirut, the Western Bekaa and the South before leaving at 1835 hours over Kafr Killa.
	1550	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 2325 hours over Alma al-Sha'b.
	1805	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 1920 hours over Rumaysh.
24 August	0620	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al Sha'b. It circled over Riyaq and Baalbek before leaving at 1445 hours over Kafr Killa.
	0920	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs, Jubayl, Shikka and the South before leaving at 1845 hours over Alma al-Sha'b.
	1015	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 1510 hours over Rumaysh.
25 August	1355	Two Israeli enemy warplanes violated Lebanese airspace, entering over Alma al-Sha'b. They circled over all regions of Lebanon before leaving at 1510 hours over the sea west of Naqurah.
26 August	0610	An Israeli enemy reconnaissance aircraft violated Lebanese territory, entering over Kafr Killa. It circled over the South and the Western Bekaa before leaving at 0915 hours over Naqurah.
29 August	0905	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1030 hours over Alma al-Sha'b.
30 August	0830	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and the South before leaving at 0915 hours over Naqurah.
	2150	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 2310 hours over Naqurah.
31 August	1350	Two Israeli enemy warplanes violated Lebanese airspace, entering over the sea west of Shikka. They circled over all regions of Lebanon before leaving at 1445 hours over Kafr Killa.
	1415	An Israeli enemy reconnaissance aircraft violated Lebanese territory, entering over Kafr Killa. It circled over the Western Bekaa and the South before leaving at 1810 hours over Kafr Killa.

Date	*Time*	*Nature of violation*
	1800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq, Baalbek and Hirmil before leaving on 1 September at 0155 hours over Rumaysh.
	2245	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 2330 hours over Rumaysh.

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Appointments to fill vacancies in subsidiary organs and other appointments: appointment of the judges of the United Nations Dispute Tribunal

Programme budget for the biennium 2016-2017

Administration of justice at the United Nations

Administration of justice at the United Nations and activities of the Office of the Ombudsman and Mediation Services

Report of the Advisory Committee on Administrative and Budgetary Questions

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions considered the reports of the Secretary-General on the findings and recommendations of the Interim Independent Assessment Panel on the system of administration of justice at the United Nations and revised estimates relating to the programme budget for the biennium 2016-2017 (A/71/163), the administration of justice at the United Nations (A/71/164) and the activities of the Office of the United Nations Ombudsman and Mediation Services (A/71/157). The Committee also had before it the report of the Internal Justice Council on the administration of justice at the United Nations (A/71/158) and the note by the Secretary-General transmitting the report of the Interim Independent Assessment Panel on the system of administration of justice at the United Nations (A/71/62/Rev.1). During its consideration of the reports, the Committee met representatives of the Secretary-General, who provided additional information and clarification, concluding with written responses received on 21 September 2016.

2. The General Assembly, in paragraph 13 of its resolution 69/203, requested the Secretary-General to submit his comments on the recommendations contained in the report of the Interim Independent Assessment Panel on the system of administration

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of justice at the United Nations (A/71/62/Rev.1). The Secretary-General prepared his comments after holding consultations with stakeholders in the system, including staff. His report also contains proposed revised estimates relating to the implementation of some of the Panel's recommendations. The report on the administration of justice at the United Nations (A/71/164) provides statistics on the functioning of the system of administration of justice for 2015 and responses to the Assembly's requests in its resolution 70/112. The report on the activities of the Office of the United Nations Ombudsman and Mediation Services (A/71/157) provides information on the activities of the Office for 2015.

3. The present report contains the observations and recommendations of the Advisory Committee on the above-mentioned reports. In section II, the Committee focuses on the findings and recommendations of the Interim Independent Assessment Panel and the related revised estimates relating to the programme budget for the biennium 2016-2017. Section III contains the Committee's recommendations on the report of the Secretary-General on the administration of justice, while section IV pertains to the Committee's observations on the activities of the Office of the United Nations Ombudsman and Mediation Services.

II. Findings and recommendations of the Interim Independent Assessment Panel and related revised estimates for 2016-2017

4. In its report, the Interim Independent Assessment Panel expressed the view that the system of administration of justice introduced in 2009 had made a good start and was an improvement over the previous system. Nevertheless, the Panel made 58 recommendations to further improve the system (see A/71/62/Rev.1). Overall, the Secretary-General welcomes the report of the Panel and is pleased to note the Panel's conclusion that the objectives of the justice system had been met to a very large extent. The Secretary-General agrees with a number of the recommendations and proposes resource requirements amounting to $2,502,800 relating to the implementation of the recommendations in 2017 (see A/71/163, para. 151). The revised estimates comprise $1,205,900 under post requirements (for the salaries and common staff costs relating to the establishment or regularization of 15 posts) and $1,296,900 under non-post requirements. **The Advisory Committee does not consider that any case has been made for the immediate and exceptional consideration of additional funding for the system of administration of justice outside the cycle of the normal budget process. Moreover, the Committee notes that, for the most part, the report of the Panel did not include recommendations on resources.** Specific observations on individual resource proposals are contained in paragraphs 7-19 below.

Post requirements

5. The Secretary-General proposes the establishment of six new posts in the Office of Staff Legal Assistance: two posts of Legal Officer (P-4) (one in New York and one in Nairobi), one post of Legal Assistant (General Service (Other level)) (in Geneva) and three posts of Legal Assistant (General Service (Local level)) (one in Addis Ababa, one in Beirut and one in Nairobi). The proposal is based on

recommendations 40 and 41 of the Panel.[1] As an alternative, the Secretary-General proposes that, should the General Assembly decide to regularize the voluntary supplemental funding mechanism, the funds would be used to acquire as many of the additional resources required by the Office as possible, and further suggests that fixed-term positions should be created on the current demonstrated strength of staff contributions (see A/71/163, paras. 109 and 158 (d)).[2]

6. The Secretary-General shares the view of the Panel that there is an overriding need for more resources for the Office of Staff Legal Assistance and that the current budget, even supplemented by the voluntary supplemental funding mechanism, is not sufficient to meet its needs (see ibid., para. 107, and A/71/62/Rev.1, paras. 333 and 407).

7. **The Advisory Committee recalls that, in its previous report on the administration of justice, it noted that the voluntary supplemental staff funding mechanism had achieved enough to recruit a sufficient number of staff, despite significant opt-out rates in some entities and geographic regions, and encouraged the Secretary-General to strengthen his efforts to persuade staff members not to opt out of that mechanism (see A/70/420, paras. 27 and 28). The Committee recommends continuing with the experimental phase of the voluntary staff funding mechanism. Consequently, the Committee recommends against the establishment of six new posts in the Office of Staff Legal Assistance and encourages the Secretary-General to explore options to ensure the sustainability of the supplementary staff funding mechanism with a view to making proposals in his next report on the administration of justice.**

8. **With regard to the proposal to fill the gap between P-3 and P-5 Legal Officer posts in the existing grade structure of the Office of Staff Legal Assistance through the establishment of posts at the P-4 level, the Advisory Committee underscores that such requests should be justified in terms of workload requirements, with post levels commensurate with the related responsibilities for these functions. The Committee further notes that the staff members working in the Office are covered under the Organization's mobility policy and should not therefore expect continuous service within the same office to result in a promotion. The Committee also notes that two temporary positions of Legal Officer at the P-4 level are in the process of being filled, funded by the supplementary staff funding mechanism.**

9. The Secretary-General proposes the establishment of six posts in the registries of the United Nations Dispute Tribunal — three posts of Legal Officer (P-3) (one in New York, one in Geneva and one in Nairobi), two posts of Legal Assistant

[1] Recommendation 40 reads as follows: "The United Nations budget should pay for the basic functioning of the Office of Staff Legal Assistance, but additional funding is necessary." Recommendation 41 reads as follows: "The Organization should fill the gap in the grade structure of the Office of Staff Legal Assistance by upgrading one P-3 position to P-4." See A/71/62/Rev.1, paras. 334 and 335.

[2] The voluntary contributions allowed for the temporary recruitment of two P-4 Legal Officers (one in New York and one in Nairobi) and three Legal Assistants, located in Addis Ababa, Beirut and Nairobi. The staff contributions were not sufficient to allow for the additional recruitment of one Legal Assistant in Geneva (see A/70/420, para. 26). Updated information on the monthly opt-out rates and staff contributions is contained in annex III to document A/71/164.

(General Service (Other level)) (one in New York and one in Geneva) and one post of Legal Assistant (General Service (Local level)) (in Nairobi) — in lieu of the temporary staff currently supporting the three ad litem judges. The proposed "regularization" of the temporary positions is linked to the Panel's recommendation on the three ad litem judges of the Tribunal. **Given that the Advisory Committee recommends against the establishment of three new permanent judges in lieu of the ad litem judges in paragraph 15 below, it recommends against establishing the six posts in the registries of the Dispute Tribunal and instead recommends extending the existing temporary positions for the period from 1 January to 31 December 2017.**

10. The revised estimates also contain a proposal, in line with recommendation 37 of the Panel, to establish two new posts in the Management Evaluation Unit — those of Legal Officer (P-3) and Legal Assistant (General Service (Other level)) — and, on the basis of recommendation 53, a post of Legal Officer (P-3) in the Registry of the United Nations Appeals Tribunal.[3]

11. **The Advisory Committee recommends against the establishment of the posts of Legal Officer (P-3) and Legal Assistant (General Service (Other level)) in the Management Evaluation Unit and the post of Legal Officer (P-3) in the Registry of the Appeals Tribunal, in the absence of any compelling argument to consider additional funding for the biennium 2016-2017.**

12. **Overall, the Advisory Committee recommends against the proposal of the Secretary-General to establish 15 new posts for the administration of justice.**

Non-post requirements

13. The Secretary-General requests additional compensation for judges amounting to $796,900 to cover the addition of three permanent full-time judges to replace the ad litem judges on the basis of recommendation 47 of the Panel, in addition to the payment of $600 for each interlocutory motion adjudicated by a judge of the Appeals Tribunal and the payment of a stipend to the President of the Tribunal in the amount of $1,500 per month on the basis of recommendation 55 of the Panel.[4]

14. The Secretary-General agrees with the Panel's recommendation to replace the three ad litem judges with three permanent judges for the Dispute Tribunal, stating that the caseload requires two full-time judges in each of the three duty stations and that judicial independence is undermined by the repeated extensions of the ad litem judges (see A/71/163, paras. 126-129). Upon enquiry, the Advisory Committee was

[3] Recommendation 37 reads as follows: "The Administration should ensure that Management Evaluation Unit functions can be carried out in compliance with statutory provisions and timelines." Recommendation 53 reads as follows: "The Appeals Tribunal Registry should be enlarged with one additional P-3 legal officer." See A/71/62/Rev.1, paras. 319 and 379.

[4] Recommendation 47 reads as follows: "Three additional permanent judges should be appointed to replace the ad litem judges." Recommendation 55 reads as follows: "To guarantee proper processing of urgent motions, the Appeals Tribunal should either give more power to the President to deal with such matters and to compensate him or her accordingly, probably on a half-time basis, or authorize the Registrar, in coordination with the President, to assign a case at a very early stage to a panel of the Tribunal and identify the presiding and reporting judges, with the latter then being the duty judge for all urgent matters in the case." See A/71/62/Rev.1, paras. 376 and 380.

informed that the implementation of that change would have no resource implications because the extension of the ad litem judges' mandate in 2017 would result in equivalent costs.

15. **The Advisory Committee considers that the caseload of the Dispute Tribunal has yet to stabilize and that future caseload trends are difficult to predict. For example, while the overall number of applications increased between 2014 and 2015 from 411 to 438, the Dispute Tribunal disposed of a higher number of applications (from 320 to 480), leaving fewer applications at the end of the year — from 317 to 275 (see A/71/164, table 3). In addition, the Committee considers that the ongoing management improvements could ultimately reduce recourse to litigation. It also notes that the number of judgments declined between 2014 and 2015 from 148 to 126 (see ibid., table 5) and that the numbers of applications and judgments differ greatly between the three locations of the Dispute Tribunal (see ibid., tables 4 and 6). In the light of those observations, the Committee is of the view that the possibility of reducing the number of judges in the future or of redeploying them between duty stations should be preserved. Accordingly, the Committee recommends against the replacement of the three ad litem judges with three permanent judges for the Dispute Tribunal and recommends the extension of the three ad litem judge positions for 12 months from 1 January to 31 December 2017 as also proposed by the Secretary-General as an alternative.**

16. Regarding the work of the judiciary, the Advisory Committee was informed, upon enquiry, that the Secretary-General was not in a position to set numeric output measurements for judges because that would be contrary to judicial independence. The Committee recalls, however, that, according to paragraph 7 (b) of the code of conduct for the judges of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal contained in resolution 66/106 of the General Assembly, judges must give judgment or rulings in a case promptly and no later than three months from the end of the hearing, the close of the pleadings or the end of the session. The Committee is of the view that the Secretary-General should provide data on this matter to the Assembly.

17. The Secretary-General also proposes to compensate a judge of the Appeals Tribunal for each interlocutory motion that he or she adjudicates ($600 per motion) and to approve a monthly stipend of $1,500 for the President of the Tribunal. **The Advisory Committee is of the view that this matter requires further justification and analysis and should be reviewed, if justified, in the context of the budget proposal for the next biennium. The Committee therefore recommends against approval of the related non-post resources proposal in this regard.**

18. The revised estimates also include a request amounting to $70,000 for consultancy for professional legal editors to prepare searchable summaries of the Tribunals' judgments. **The Committee is not convinced that this request is justified, given that the Secretary-General also indicates that work to enhance the jurisprudential search engine was under way and that a modality for additional search capabilities was to be completed by 31 July 2016**

(see A/71/163, para. 34).[5] In addition, the Committee believes that work of this nature should be undertaken internally, without recourse to external consultants.

19. The revised estimates also contain a request for additional travel resources in the amount of $75,000 to hold hearings of the Dispute Tribunal outside New York, Geneva or Nairobi. The request is based on the Panel's recommendation to increase the mobility of the Tribunal.[6] The Advisory Committee is not convinced that transparency and access to justice require the Tribunal to hold hearings at duty stations other than its three current locations. In the view of the Committee, this matter requires further analysis and should be considered in the context of the next budget cycle, if justified. **Consequently, the Advisory Committee recommends against the approval of the additional travel resources.**

Contribution of the funds and programmes to the system of administration of justice

20. During its review of the reports of the Secretary-General, the Advisory Committee was informed, upon enquiry, that the funds and programmes reimbursed their share of the costs relating to the administration of justice on the basis of the headcount of each of the participating entities. In 2015, 38 per cent of the applications filed with the Dispute Tribunal were from staff in the funds and programmes (see A/71/164, fig. I). The Committee was also informed that the additional funding request of $2.5 million represented the totality of the additional requirements arising from the Panel's recommendations. If the General Assembly were to approve those resources, the funds and programmes would subsequently be billed for their shares on the established cost-sharing basis.

21. The actions to be taken by the General Assembly are listed in paragraph 158 of the report (A/71/163). **The Advisory Committee recommends against the proposals contained in paragraphs 158 (b), (c), (e), (f), (h), (k), (l), (m), (n) and (o), and in favor of the proposals contained in paragraphs 158 (g) and (i) relating to the extension of the ad litem judges and their support staff. The matters contained in paragraphs 158 (a) and (j) are legal matters not within the purview of the Committee and are for the General Assembly to determine.**

22. The Advisory Committee notes that, in paragraph 10 of its resolution 69/203, the General Assembly reaffirmed that the interim independent assessment should examine the system of administration of justice in all its aspects, with particular attention to the formal system and its relation with the informal system. **The Advisory Committee is of the view that more detailed analysis and recommendations aimed at making better use of the informal system in order to avoid unnecessary litigation are still needed. The Committee stresses the continued importance of the informal part of the system of administration of**

[5] Paragraph 34 was written in response to the Panel's recommendation 12, which reads as follows: "The Office of Administration of Justice should further improve the search engine of the Tribunals' jurisprudence." See A/71/62/Rev.1, para. 199.

[6] Recommendation 17 reads as follows: "The mobility of the Dispute Tribunal should be increased, in accordance with article 5 of its statute, thus enabling the Tribunal to reach duty stations in the field and carry out hearings in the appropriate conditions." See A/71/62/Rev.1, paras. 223 and 372.

justice in taking early action to prevent or limit cases of litigation and recalls its previous observations on this matter (see also para. 36 below).

III. Administration of justice at the United Nations

23. The report of the Secretary-General on the administration of justice at the United Nations (A/71/164) shows an increase in the number of applications to the various parts of the system between 2014 and 2015, with the exception of the Management Evaluation Unit, where the number of requests fell from 1,541 in 2014 to 873 in 2015. More than 75 per cent of the requests for management evaluation in 2015 were related to retrenchment exercises in the field, including clustered requests from staff of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and the African Union-United Nations Hybrid Operation in Darfur (see A/71/164, para. 5).

24. In 2015, the Office of Staff Legal Assistance received 1,502 requests for legal assistance, compared with 1,180 requests in 2014, and acted as counsel before the Dispute Tribunal in 415 cases, compared with 102 cases in 2014. The latter increase was due to a group of 245 applications from past and present staff from the International Tribunal for the Former Yugoslavia relating to conversions to permanent appointment and a group of 60 applications from staff from the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo relating to the non-renewal of fixed-term appointments (see ibid., para. 7).

25. The Dispute Tribunal received 438 applications in 2015, compared with 411 in 2014. It issued 126 judgments (48 in Geneva, 40 in Nairobi and 38 in New York) in which it disposed of 327 applications (including 8 judgments in which it disposed of 209 applications), and disposed of a further 153 applications by order. The number of pending applications at the end of the year fell from 317 in 2014 to 275 in 2015 (see ibid., para. 8 and table 4).

26. In 2015, the Appeals Tribunal received 191 appeals, compared with 137 in 2014. The increase was due largely to a group of periodic salary survey-related applications. The total number of judgments increased from 100 in 2014 to 114 in 2015, but the number of judgments in which the Secretary-General was a party remained stable (80 in 2015, compared with 82 in 2014). The number of interlocutory motions also remained stable: 81 in 2015 compared with 84 in 2014. Nevertheless, the number of pending appeals at the end of the year increased from 101 in 2014 to 147 in 2015 (see ibid., para. 10 and tables 8 and 9).

27. The report of the Secretary-General contains responses to questions raised by the General Assembly in its resolution 70/112, including information on the revised terms of reference and guidelines for the Office of the United Nations Ombudsman and Mediation Services (ST/SGB/2016/7), the accountability of managers, the effectiveness of the Management Evaluation Unit and implications of amendments to the statutes of the Tribunals (see A/71/164, paras. 114-159).

28. Annex II to the report provides information on the progress made in the implementation of recommendations to address systemic and cross-cutting issues contained in the report on the activities of the Office of the United Nations Ombudsman and Mediation Services. These issues (abusive behaviour and incivility

in the workplace, the imperative to strengthen investigations, the problems of staff serving in dangerous duty stations and the lack of effective communications with staff) were listed in the previous report (A/70/151). Consequently, the Advisory Committee notes that there is a lag of one year between the identification of the issues and the issuance of information on the measures taken to resolve them. **In order to improve the responsiveness and transparency of the system, the Advisory Committee considers that the annual report of the Secretary-General on the administration of justice could provide comments on the recommendations on systemic issues contained in the report on the activities of the United Nations Ombudsman and Mediation Services for the same session. The Committee therefore recommends that the General Assembly request the Secretary-General to include such information in the next annual report on the administration of justice.**

29. The actions to be taken by the General Assembly are listed in paragraphs 163 and 164 of the report (A/71/164). In paragraph 164 (a), the Secretary-General requests the Assembly to take note of various documents and, in paragraph 164 (b), to approve the proposed single code of conduct for all legal representatives. **In the case of paragraph 164 (b), the Advisory Committee is of the view that this is a legal matter not within the purview of the Committee and is for the General Assembly to determine.**

IV. Activities of the Office of the United Nations Ombudsman and Mediation Services

30. In the report on the activities of the Office of the United Nations Ombudsman and Mediation Services, it is indicated that the Office opened 2,524 cases in 2015 (1,928 from the Secretariat, 457 from the funds and programmes and 139 from the Office of the United Nations High Commissioner for Refugees), representing an increase of 13 per cent compared with 2014 (A/71/157, para. 13).

31. Cases originating from field missions represented 45 per cent of the total number of cases for the entire Office and 57 per cent of the Secretariat cases (see ibid., fig. IV). The main types of issues under consideration were related to jobs and careers (24 per cent), evaluative relationships (24 per cent) and compensation and benefits (13 per cent) (see ibid., fig. III).

32. The utilization rate (the relationship between the overall number of staff and the number of cases received) was 4.4 per cent in the Secretariat in 2015, an increase of 0.4 per cent from the previous year. The rate was highest among staff at the D-1 level and above, at 11 per cent, and lowest in the General Service category, at 1.6 per cent (see ibid., para. 18).

33. A total of 168 cases involved non-staff personnel in 2015, compared with 145 cases in 2014. The Mediation Service opened 78 cases in 2015, compared with 64 in 2014 (see ibid., paras. 21 and 23-28).

34. In the report, the Office highlights systemic issues arising from its consideration of different cases, including the situation of staff serving in dangerous duty stations, the consequences of partial medical clearances, administrative delays,

the fear of reprisals, the need to strengthen investigations, gender parity and good practices in mission downsizing (see ibid., paras. 55-93). The Advisory Committee intends to address the issue of partial medical clearance in its forthcoming report on human resources matters.

35. Regarding matters relating to gender parity, the Advisory Committee was informed, upon enquiry, that, owing to budget constraints, many departments no longer requested general temporary assistance resources to cover replacement costs arising from extended absences of staff on paid leave or staff on maternity leave. The immediate burden of extended absences thus fell on the respective manager and the other team members who must absorb the additional work normally undertaken by the absent colleague. In the view of the Ombudsman, the lack of funds for maternity leave replacements can be a disincentive to hiring women (see ibid., para. 87). **The Advisory Committee intends to keep this matter under review. In this connection, the Committee recalls its concern expressed in the context of its first report on the proposed programme budget for the biennium 2016-2017, namely that the Secretariat had not established a methodology to calculate the estimated cost of sick and maternity leave. The Committee also expressed its belief that a more centralized management of this budget line, taking into account Organization-wide past patterns, could lead to more accurate budgeting in the future (see A/70/7, para. 103). The Committee's observations were endorsed by the General Assembly.**

36. **The Advisory Committee stresses the continued importance of the informal part of the system of administration of justice in taking early action to prevent or limit cases of litigation. The Committee recalls its previous observations that informal resolution is an important part of the system and continues to encourage efforts to increase its use when appropriate.**

United Nations A/71/437

General Assembly

Distr.: General
6 October 2016

Original: English

Seventy-first session
Agenda item 114 (b)
Elections to fill vacancies in subsidiary organs and other elections

Election of the members of the International Law Commission

Note by the Secretary-General

1. Article 3 of the statute of the International Law Commission provides that the members of the Commission shall be elected by the General Assembly from a list of candidates nominated by the Governments of States Members of the United Nations.

2. Article 7 of the statute states that the Secretary-General shall prepare the list referred to in article 3, comprising in alphabetical order the names of all the candidates duly nominated, and shall submit the list to the General Assembly for the purposes of the election.

3. The names of candidates and additional information are contained in documents A/71/90, A/71/90/Add.1, A/71/90/Add.2, A/71/90/Add.3 and A/71/90/Add.4. The statements of qualifications of candidates are to be found in documents A/71/83 and A/71/83/Add.1.

4. Pursuant to the decision taken by the General Assembly at its 25th plenary meeting, on 6 October 2016, the Secretary-General has the honour to submit to the Assembly the following consolidated list of candidates nominated by the Governments of States Members of the United Nations for election to the International Law Commission:

Afande, Koffi Kumelio A. (Togo)
Al-Marri, Ali bin Fetais (Qatar)
Argüello Gómez, Carlos J. (Nicaragua)
Aurescu, Bogdan (Romania)
Brown, Chester W. (Australia)
Cissé, Yacouba (Côte d'Ivoire)
Collot, Gélin Imanès (Haiti)
El-Murtadi Suleiman Gouider, Abdelrazeg (Libya)

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Escobar Hernández, Concepción (Spain)
Forteau, Mathias (France)
Galvão Teles, Patrícia (Portugal)
Gómez-Robledo, Juan Manuel (Mexico)
Grossman Guiloff, Claudio (Chile)
Habarugira, Révérien (Burundi)
Hassouna, Hussein A. (Egypt)
Hmoud, Mahmoud Daifallah (Jordan)
Huang, Huikang (China)
Jalloh, Charles C. (Sierra Leone)
Kohen, Marcelo Gustavo (Argentina)
Kolodkin, Roman Anatolyevitch (Russian Federation)
Laraba, Ahmed (Algeria)
Lehto, Marja (Finland)
Maluwa, Tiyanjana (Malawi)
Mohamad, Rahmat (Malaysia)
Momtaz, Djamchid (Islamic Republic of Iran)
Murase, Shinya (Japan)
Murphy, Sean David (United States of America)
Nguyen, Hong Thao (Viet Nam)
Nolte, Georg (Germany)
Oral, Nilüfer (Turkey)
Ouazzani Chahdi, Hassan (Morocco)
Park, Ki Gab (Republic of Korea)
Peter, Chris Maina (United Republic of Tanzania)
Petrič, Ernest (Slovenia)
Rajput, Aniruddha (India)
Reinisch, August (Austria)
Ruda Santolaria, Juan José (Peru)
Saboia, Gilberto Vergne (Brazil)
Šturma, Pavel (Czechia)
Tladi, Dire D. (South Africa)
Tungo, Muaz Ahmed (Sudan)
Ugirashebuja, Emmanuel (Rwanda)
Valencia-Ospina, Eduardo (Colombia)
Vázquez-Bermúdez, Marcelo (Ecuador)
Ventura Robles, Manuel E. (Costa Rica)
Wako, S. Amos (Kenya)
Wisnumurti, Nugroho (Indonesia)
Wood, Michael (United Kingdom of Great Britain and Northern Ireland)
Zyberi, Gentian (Albania)

United Nations A/71/437/Corr.1

General Assembly

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Seventy-first session
Agenda item 114 (b)
Elections to fill vacancies in subsidiary organs and other elections

Election of the members of the International Law Commission

Note by the Secretary-General

Corrigendum

Paragraph 3

The first sentence *should read*

The names of candidates and additional information are contained in documents A/71/90, A/71/90/Add.1, A/71/90/Add.2, A/71/90/Add.3, A/71/90/Add.4 and A/71/90/Add.5.

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United Nations A/71/438–A/CONF.192/BMS/2016/1

General Assembly

Distr.: General
4 October 2016

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Seventy-first session
Agenda item 98 (t)
General and complete disarmament: the illicit trade in small arms and light weapons in all its aspects

Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
New York, 6-10 June 2016

The illicit trade in small arms and light weapons in all its aspects

Report of the Secretary-General

Summary

The present report is divided into three sections:

(a) The illicit trade in small arms and light weapons, and general implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;

(b) An update on developments in small arms and light weapons manufacturing, technology and design and their implications for the full and effective implementation of the International Tracing Instrument;

(c) The adequacy, effectiveness and sustainability of financial and technical assistance, including the transfer of technology and equipment, particularly to developing countries since 2001, for the full implementation of the Programme of Action. This section also covers options for the enhanced funding of activities relating to the implementation of the Programme of Action and the International Tracing Instrument, including trust fund arrangements; and options for the establishment of programmes for the training of relevant officials nominated by their respective Governments in areas relating to the implementation of the Programme of Action and the International Tracing Instrument.

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I. Introduction

1. In its resolution 70/49, the General Assembly requested the Secretary-General, taking into account the recommendations and requests made by the Fifth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, in paragraphs 27 and 38 of its outcome document (A/CONF.192/BMS/2014/2, annex), to submit a report dedicated to those issues and on the implementation of the resolution for consideration at the Sixth Biennial Meeting of States, in 2016, and to the Assembly at its seventy-first session.

2. The recommendations and requests in the above-mentioned outcome document are as follows:

(a) In paragraph 27 (d), States undertook to consider developments in small arms and light weapons manufacturing, technology and design and their implications for the full and effective implementation of the International Tracing Instrument;

(b) In paragraph 27 (e), States recommended that the General Assembly request the Secretary-General to provide through his annual consolidated report on small arms and light weapons, as required, further information relevant to those developments, building upon his initial report (A/CONF.192/BMS/2014/1) and discussions that would occur at the 2015 open-ended meeting of governmental experts, for consideration by Member States at relevant future meetings on the implementation of the Programme of Action and the International Tracing Instrument;

(c) In paragraph 38 (m), States requested the Secretariat to present, for consideration at the 2015 open-ended meeting of governmental experts, options for the enhanced funding of activities relating to the implementation of the Programme of Action and the International Tracing Instrument, including trust fund arrangements; and for the establishment of programmes for the training of relevant officials, nominated by their respective Governments, in areas related to the implementation of the Programme of Action and the International Tracing Instrument. The present report will provide information additional to that presented by the Secretariat at the second Open-ended Meeting of Governmental Experts on the Implementation of the Programme of Action, held from 1 to 5 June 2015;

(d) In paragraph 38 (n) (i), States also requested the Secretariat to carry out a comprehensive study on the adequacy, effectiveness and sustainability of financial and technical assistance, including the transfer of technology and equipment, particularly to developing countries since 2001, for the full implementation of the Programme of Action, and to submit the study for discussion at the Open-ended Meeting of Governmental Experts in 2015 and consideration at the Sixth Biennial Meeting of States.

3. The present report is submitted pursuant to these requests made by the General Assembly. It will be divided into three sections, as set out below.

4. Section II will address the illicit trade in small arms and light weapons and general implementation of the Programme of Action.

5. Section III will provide an update on developments in small arms and light weapons manufacturing, technology and design and their implications for the full and effective implementation of the International Tracing Instrument.

6. Section IV will focus on the adequacy, effectiveness and sustainability of financial and technical assistance, including the transfer of technology and equipment, particularly to developing countries since 2001, for the full implementation of the Programme of Action. It will also provide information on options for the enhanced funding of activities relating to the implementation of the Programme of Action and the International Tracing Instrument, including trust fund arrangements; and options for the establishment of programmes for the training of relevant officials nominated by their respective Governments in areas relating to the implementation of the Programme of Action and the International Tracing Instrument.

II. The illicit trade in small arms and light weapons and implementation of the Programme of Action

Impact of the illicit trade in small arms and light weapons

7. One in four people on the planet, or more than 1.5 billion, live in fragile and conflict-affected States or in countries with very high levels of criminal violence.[1]

8. Nowadays, more than half a million people die a violent death each year and around 70,000 people perish as a direct consequence of armed conflict.[2]

9. The number of civil wars in the world has tripled over the past decade. Wars, conflict and persecution have forced more people than at any other time since records began to flee their homes and seek refuge and safety elsewhere. Refugees and internally displaced persons endure some of the worst small arms-related violence.[3]

10. The widespread availability of illicit small arms and light weapons and their ammunition is a key enabler of conflict and endemic crime. Such weapons may originate from varied sources. Shipments of small arms from abroad to conflict zones and to areas experiencing pervasive crime can be sizeable, but are most often small-scale consignments: a steady trickle of weapons across porous borders. The cumulative destabilizing force of such trade — for example, as equipment of foreign terrorist fighters, pirates, armed groups or organized crime syndicates — is not to be underestimated.

11. Domestically, small arms and ammunition often enter illicit circulation through theft, resale and corruption. Diversion of small arms and light weapons and their ammunition is a colossal problem in many parts of the world. It may occur as a result of a transfer without proper controls, unauthorized retransfer, thefts from

[1] World Bank, *World Development Report: Conflict, Security and Development* (Washington, D.C., 2011).

[2] Secretariat of the Geneva Declaration on Armed Violence and Development, *Global Burden of Armed Violence 2015: Every Body Counts* (Cambridge, Cambridge University Press, 2015).

[3] Forced Migration Online, "Displacement and small arms". Available from http://forcedmigration.org/research-resources/expert-guides/small-arms-and-forced-migration/displacement-and-small-arms.

poorly secured stockpiles, handouts to armed groups or civilian populations, or barter involving natural resources. Corruption is often associated with diversion. Government depots remain prominent sources of illicit weapons.

12. Those suffering most from the illicit trade in small arms and light weapons are civilian populations trapped in situations of armed violence in settings of both crime and conflict, often in conditions of poverty, deprivation and extreme inequality. Conflict is a key factor in leaving almost 800 million people without enough food.[4]

13. The 2015 global study on the implementation of Security Council resolution 1325 (2000) contained a resounding call to accelerate disarmament and drew a strong parallel between the global arms trade and the insecurity of women and girls. The study articulated the linkage between small arms violence, gender-based violence and organized crime.

14. The illicit trade in small arms and light weapons leads to the suspension or delay of life-saving humanitarian and development operations because of armed attacks against United Nations staff and staff of other humanitarian organizations. The consequences have a negative impact on almost all areas of the work of the United Nations. Be it in maintaining international peace and security, promoting social and economic development, supporting peacekeeping operations and peacebuilding efforts, monitoring sanctions and arms embargoes, delivering food aid, protecting and assisting internally displaced persons and refugees, protecting children and civilians, promoting gender equality or fostering the rule of law, the United Nations has faced serious challenges and setbacks that ultimately can be traced to the consequences of the illicit trade in small arms and light weapons.

Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

15. In 2001, Member States adopted the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. This politically binding instrument laid the foundation for action at the national, regional and global levels and has become a valuable tool for States, international organizations and civil society. It recommended starting negotiations on a separate instrument on tracing illicit small arms — negotiations that were concluded in 2005 — and it paved the way for the increased attention of Member States to the issue of illicit small arms brokering. The Programme of Action contains concrete suggestions for improved national legislation and controls and international assistance and cooperation.

National level

16. Further progress has been made in the implementation of the Programme of Action. An increasing number of States has improved legislation related to stemming the uncontrolled proliferation of small arms at the national level. Marking at manufacture is often in place. Weapons collection and destruction initiatives have sometimes led to good results. Some States have integrated small arms action plans

[4] International Food Policy Research Institute, *2015 Global Hunger Index: Armed Conflict and the Challenge of Hunger* (Bonn/Washington, D.C./Dublin, 2015).

into national development strategies. In their national reports, States needing assistance increasingly indicate so.

17. However, many of the requirements of the instrument for implementation at the national level remain unfulfilled. Inadequate stockpile management persists as an acute problem in many parts of the world. Illicit manufacture, or craft production, continues on a large scale. Marking small arms on import too often is not undertaken. Security forces often are not able to enforce the law and provide safety to communities, and the setting up of procedures for effective operational information exchange with investigative and law enforcement authorities from other States and with the International Criminal Police Organization (INTERPOL) leaves much to be desired.

Regional level

18. The measures suggested in the Programme of Action at the regional level have prompted some promising regional initiatives to curb the illicit trade in small arms, especially from a norm-setting point of view. More efforts are needed to reflect these initiatives in national legislation and functioning procedures. Where resources are made available, regional organizations have been able to make a real difference on the ground; technical support and assistance is often provided by programmes, initiatives and projects of United Nations funds and agencies. These partnerships ensure synergy and the effective use of resources.

19. The League of Arab States and the Organization for Security and Cooperation in Europe are examples of regional organizations that regularly align the timing of regional meetings regarding illicit small arms and light weapons with the global cycle of meetings. Connecting efforts at the regional and global levels — as mandated in the outcome of the second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action, held in 2012[5] — can create a synergetic interaction that has a positive impact on implementation at the national level.

Global level

20. At the global level, States were able to agree to substantive outcomes of the biennial meetings held in 2010 and 2014 to consider the implementation of the Programme of Action, and the review conference held in 2012. They held technical discussions in two open-ended meetings of governmental experts (in 2011 and 2015). Progress in these various meetings included understandings to work on measurability, on gender considerations, on the value of ballistics research in weapons tracing, on preventing depot explosions, on discussing the impact of new weapons-related technologies and on considering improved mechanisms for assistance and cooperation. The coming two years will provide the opportunity to develop these and other issues into concrete elements for a tailored work programme for a new six-year cycle, which will start with the third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action, to be held in 2018.

[5] A/CONF.192/2012/RC/4, annex I, sect. III., para. 7.

21. Progress in related processes also has a positive impact on implementation of the Programme of Action. Most importantly, the adoption of the 2030 Agenda for Sustainable Development — agreed on by Member States at the beginning of the seventieth session of the General Assembly (resolution 70/1) — was a defining moment for global efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons. Through the inclusion of a specific target to significantly reduce illicit arms flows by 2030, States embedded the objectives of the Programme of Action in a time-bound, measurable, development-focused perspective that may now guide further work under the Programme of Action.

22. The entry into force of the Arms Trade Treaty in December 2014 was a second recent momentous occasion. The proper regulation of the international arms trade and the taking of steps to prevent the diversion of weaponry and ammunition have become binding commitments for States parties to the Treaty. Importantly, the Treaty contains a provision on gender-based violence. Progress in the implementation of the Treaty is of immediate relevance to implementation of the Programme of Action.

23. Other progress can also be noted. The Security Council adopted two resolutions on the issue of small arms (resolutions 2117 (2013) and 2220 (2015)), which had a particular focus on the small arms situation in conflict and peacekeeping settings. In the latter resolution, the Council called for enhanced reporting synergies on the issue of the illicit use of small arms and light weapons. It noted the utility of the United Nations Register of Conventional Arms in helping the Sanctions Committees to determine whether an exemption to an arms embargo is justified. The Council acknowledged the urgent need to address the issue of ammunition along with the issue of small arms and light weapons. Moreover, in its resolution 2242 (2015), the Council encouraged the empowerment of women to participate in the design and implementation of efforts to prevent the illicit transfer of small arms.

24. In 2015, the Human Rights Council adopted resolution 29/10, on human rights and the regulation of civilian acquisition, possession and use of firearms, in which the Council requested the United Nations High Commissioner for Human Rights to present to it a report on the different ways in which civilian acquisition, possession and use of firearms have been effectively regulated, with a view to assessing the contribution of such regulation to the protection of human rights, and to identify best practices that may guide States to further develop relevant national regulation if they so deem it necessary. The ensuing report (A/HRC/32/21) provides an overview of the impact of the misuse of firearms on the enjoyment of human rights. It includes recommendations for States to "provide victims of firearms violence with effective measures of protection and reparation, including access to adequate health care", and to impose appropriate penalties for offences involving the misuse or unlawful possession of firearms, the illicit sale of firearms and their unauthorized international transfer. Importantly, it is stressed in the report that "firearm violence and the underlying proliferation of firearms, including illicit firearms, must be systematically measured, monitored and reported".

25. States are paying increased attention to the provisions of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention

against Transnational Organized Crime (the Firearms Protocol), through a recently established dedicated working group and tools developed by the Secretariat.[6]

26. Solid advances were made with regard to the consistency and comprehensiveness of United Nations support for the full life-cycle management of small arms and light weapons. In order to provide dependable, high-quality assistance across offices and agencies, the United Nations system has developed modular packages of good practices on small arms, light weapons and ammunition control (the International Small Arms Control Standards and the International Ammunition Technical Guidelines), which are publicly available.[7] The Security Council, in its resolution 2220 (2015), recognized the value of the Standards and the Guidelines, as did the outcome of the Fifth Biennial Meeting of States to Consider the Implementation of the Programme of Action (see A/CONF.192/BMS/2014/2, annex, paras. 12 and 17 (e)). Wide application of the Standards and the Guidelines by the United Nations system, as well as by other stakeholders, underscores the value of coordinated approaches on highly cross-sectional topics. Many other entities within the United Nations and outside of it now make routine use of these guidelines.

27. Within INTERPOL, a structure for operational information exchange on illicit small arms has been established, the Illicit Arms Records and Tracing Management System database. INTERPOL reports that access to the database is extended to all INTERPOL member States, that 146 countries are connected to it, that the database currently has more than 785,000 illicit firearms records, and that more than 12,000 trace requests have been received.

28. Within the World Customs Organization, States adopted a small arms and light weapons strategy in 2015. The strategy is aimed at assisting the 180 member States of the World Customs Organization to combat illicit cross-border trafficking of arms, their parts and ammunition. The work of the secretariat of the World Customs Organization on this topic has been focused on setting up coordinated global operational activities to detect illicit shipments in international supply chains, as well as policy guidance, technical assistance and capacity-building.

29. Lack of progress at the global level is also noticeable. Importantly, until now, the Programme of Action was deficient on measurability and on including specific numerical targets. It does not provide concrete procedures for operational information exchange among States' investigative or law enforcement authorities, nor does it provide a framework to facilitate international assistance and cooperation among States. Hence, States have had difficulty in finding cooperative structures and linking needs with resources.

30. The issue of small arms intersects with many related themes. It is relevant in areas ranging from peacekeeping, inner-city crime and elections to maritime security, forced migration and public health; from human rights, trade policy and aviation security to military stockpile management, humanitarian aid and development. Because of the deeply cross-cutting nature of the issue, meetings under the Programme of Action should take into account that several national agencies may need to be involved and that the international work relating to small arms control is undertaken simultaneously in many forums.

[6] See www.unodc.org/unodc/en/firearms-protocol/firearmsprotocol.html.
[7] See http://smallarmsstandards.org and www.un.org/disarmament/convarms/ammunition/IATG.

31. In the present report, suggestions are provided that may assist States in further strengthening their implementation of the Programme of Action and the International Tracing Instrument by focusing recommendations in particular on how States can improve global process management, both under the Programme of Action meetings and as an effective contribution towards the mechanism underpinning the Sustainable Development Goals. The start of preparations for the third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action — to be held in 2018 — makes this endeavour even more topical.

Legislation, law enforcement and information exchange

32. Up-to-date national legislation and well-functioning law enforcement remain essential elements for successfully addressing the illicit arms trade at the national level. Also, it is key for any Government to have in place tested procedures allowing for frequent information exchange between the police, intelligence agencies, armed forces, border control, coastguard and other security sector agencies.

33. Meanwhile, the value of cross-border information exchange on matters pertaining to national security has also become more prominent. Under relevant treaties and agreements — including the Programme of Action and the International Tracing Instrument, the Firearms Protocol and the Arms Trade Treaty — States consistently underline the need for exchanging operational information. Such information exchange could be on weapons tracing, preventing diversion, trafficking routes, illicit brokers, sources of illicit supply, methods of concealment and enhancing capacities for statistics and data collection and analysis.

34. However, cooperation and information exchange on security-related matters continues to be a serious challenge within and between countries. Although threats have internationalized more than ever — in particular, transnational organized crime and violent extremism — defence and security sectors in most States often remain wary of sharing crucial information. Progress in addressing small arms control will be limited where cross-border trust levels are low, where procedures for contacting international colleagues are not engrained in workplans and training programmes, where information is shielded rather than shared, and where security- and confidence-building measures to improve international relations are not in place.

Recommendation 1

States are encouraged to give further priority to cross-border information-sharing on arms trafficking. Concluding bilateral or regional mutual legal assistance treaties or agreements is an essential step in that regard. Such instruments can be agreed in the context of cooperation on transnational crime, border controls and other areas.[8]

[8] See, for example, United Nations Office on Drugs and Crime, *Manual on Mutual Legal Assistance and Extradition* (Vienna, 2012), available from www.unodc.org/documents/organized-crime/Publications/Mutual_Legal_Assistance_Ebook_E.pdf, and the World Customs Organization Model Bilateral Agreement on Mutual Administrative Assistance in Customs Matters, available from http://www.wcoomd.org/en/topics/enforcement-and-compliance/instruments-and-tools/~/media/DFAAF3B7943E4A53B12475C7CE54D8BD.ashx.

Recommendation 2

Under paragraph 31 (a) of the International Tracing Instrument, the Secretariat is tasked with collecting from States information on their national point of contact for the Instrument. At the same time, for outreach to law enforcement in other countries, States have designated national central bureaux within the context of INTERPOL cooperation, linking national police with the global INTERPOL network.[9] The INTERPOL Illicit Arms Records and Tracing Management System has been established as an effective operational tool assisting all States in weapons tracing. Moreover, States have set up a directory of competent national authorities under the United Nations Convention against Transnational Organized Crime, which has explicit competencies on the illicit manufacturing of and trafficking in firearms.[10] It is recommended that tools for practical information exchange relating to cross-border weapons tracing be streamlined by using these two existing operational mechanisms to contact other countries regarding a weapons trace.

Recommendation 3

Under paragraph 31 (b) of the International Tracing Instrument, the Office for Disarmament Affairs of the Secretariat is tasked with collecting from States information on their national marking practices. Only a few States have provided this information as part of their national reports. It is recommended that this information be collected within INTERPOL, where it would complement the INTERPOL Firearms Reference Table, the INTERPOL Ballistic Information Network and the Illicit Arms Records and Tracing Management System. The International Tracing Instrument would remain a valuable normative agreement, whereas operational databases on weapons tracing would thus be brought together comprehensively.

Stockpile management; disarmament, demobilization and reintegration; and security sector reform

35. The management of weapons stockpiles of armed forces and law enforcement has emerged as one of the greatest challenges relating to small arms and light weapons control. Stocks are susceptible to diversion if they are not secured appropriately. Diversion tends to feed and sustain the activities of armed groups, terrorist organizations and organized criminal networks. It is one of the principal sources of illicit ammunition (see A/63/182).

36. A central element in adequate stockpile management is the identification of surpluses, namely, the weapons and ammunition that do not constitute an operational need. Authoritative assessments estimate that some 40 per cent of military firearms in the arsenals of States' armed forces can be considered as surplus and should therefore be priority items for destruction.[11]

[9] See www.interpol.int/About-INTERPOL/Structure-and-governance/National-Central-Bureaus

[10] See www.unodc.org/compauth/en/index.html.

[11] Small Arms Survey, *Small Arms Survey 2008: Risk and Resilience* (Cambridge, Cambridge University Press, 2008).

37. When surpluses are not recognized, the entirety of the national weapons stockpile may continue to be seen as of operational value. Although not used, weapons and ammunition surpluses continue to fill warehouses and to pose a grave year-on-year risk.

38. Defective stockpile management has been assessed as the norm rather than the exception in many developing countries and in States recovering from armed conflict. In those circumstances, it is not only surplus stocks that should be the focus of attention, but the lack of appropriate policy behind this situation. Governments remain unaware of surpluses while their national stockpiles continue to be a source of illicit weaponry and often remain an explosive hazard.

39. Destruction is the preferred solution for surplus stockpiles of arms and ammunition, not only from a safety and security perspective, but also when considering the costs of destruction over the costs associated with safe long-term storage and maintenance.[12]

40. Key parts of the United Nations system, including the Office for Disarmament Affairs and its regional centres for peace and disarmament, the United Nations Office on Drugs and Crime (UNODC), the Department of Peacekeeping Operations of the Secretariat, including its Police Division and the Mine Action Service, the United Nations Development Programme and others, are contributing to securing stockpiles and to the relevant training of national law enforcement and security forces of affected countries, as well as troop-contributing countries. For all actors involved, the standards on weapons and ammunition management developed by the United Nations — the International Small Arms Control Standards and the International Ammunition Technical Guidelines — form consistent guidance in this regard.

41. For peacekeepers, responsibilities in the civilian, post-conflict sphere have gained further prominence. This has led to a shift in emphasis from disarming ex-combatants towards weapons control at the community level. Moreover, it is seen as essential that disarmament, demobilization and reintegration interventions build the capacity of national institutions and national officials. Such programming should assist the transition to adequate civilian rule and to domestic responsibility for the full spectrum of national security.

Recommendation 4

Member States are encouraged to make every effort to secure arms and ammunition stockpiles and shield them from diversion. Existing voluntary guidance, such as the International Small Arms Control Standards and the International Ammunition Technical Guidelines developed under the United Nations SaferGuard programme, can be of use in improving arms and ammunition stockpile management practices. Relevant peacekeeping and peacebuilding missions should be consistently mandated to assist host countries in their stockpile management. More can be done to mainstream physical security and stockpile management programmes in peacekeeping mandates and

[12] Mandy Turner, *Costs of Disarmament: Cost Benefit Analysis of SALW Destruction versus Storage* (Geneva, United Nations Institute for Disarmament Research, 2006).

concepts of operations. Special attention is required for the weapons management needs of countries bordering conflict areas.

Recommendation 5

United Nations police and mine action components and, where relevant, United Nations regional centres for peace and disarmament can be further strengthened to take on tasks in combating illicit arms and ammunition, including weapons collection; disarmament, demobilization and reintegration programmes; physical security and stockpile management practices; record-keeping and tracing; development of national export and import control systems; countering trafficking; enhancement of border security; armed violence prevention; and strengthening judicial institutions.

Recommendation 6

The delivery of security services at the community level is a crucial component in the mitigation of armed violence and crime. Such efforts should be planned in an integrated manner with other mission and United Nations country team components, including police, justice, corrections, security sector reform, mine action, gender and human rights. Only a comprehensive approach can sustainably improve the delivery of security services at community levels and make communities safer. Women's and youth groups can be powerful actors in monitoring agreements if given the access and support to do so.

Measurability

42. Within the context of the Programme of Action, States have agreed to encourage the further development of mechanisms to increase the measurability and effectiveness of international cooperation and assistance (see A/CONF.192/BMS/2014/2, para. 37).

43. Measurability is increasingly seen not only as a means to monitor global progress but as a vital self-assessment tool for Governments to learn where they can improve in achieving their own objectives. As world leaders formulated it in the context of the Sustainable Development Goals, the objective of systematic follow-up and review is to promote accountability to citizens, support effective international cooperation in achieving the 2030 Agenda for Sustainable Development and foster exchanges of best practices and mutual learning (see General Assembly resolution 70/1, para. 73).

44. As mentioned in paragraph 21 above, States have included the key subject matter of the Programme of Action in the Sustainable Development Goals. Under target 16.4 of the Goals, Member States aim, by 2030, to significantly reduce illicit arms flows, among other things. Hence, States have accomplished their objective to introduce measurability in global efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons.

45. The Programme of Action's conceptual linkage to the 2030 Agenda is reinforced by the provision in paragraph 58 of the 2030 Agenda to encourage ongoing efforts by States in other forums to address key issues which pose potential challenges to the implementation of the Agenda.

Indicators under target 16.4 of the Sustainable Development Goals

46. In paragraph 75 of the 2030 Agenda, it is mentioned that the Goals and targets will be followed up and reviewed using a set of global indicators. These will be complemented by indicators at the regional and national levels, which will be developed by Member States. In 2016, global indicator 16.4.2 under target 16.4 was agreed by the Statistical Commission: the percentage of seized small arms and light weapons that are recorded and traced, in accordance with international standards and legal instruments (see E/CN.3/2016/2/Rev.1).[13] This indicator is classified as containing conceptually clear, agreed definitions; methodology and standards are available but data are not produced regularly by countries.

47. The relevant instruments mentioned in the global indicator may include the Firearms Protocol, the Arms Trade Treaty, and the Programme of Action and the International Tracing Instrument. Of those, the Programme of Action and the International Tracing Instrument reflect a universally agreed approach to matters pertaining to small arms control.

Supporting national data collection on seizure, record-keeping and tracing of weapons

48. In general terms, States have committed themselves to collect the data relevant for reaching the Sustainable Development Goals through their national statistical offices. However, on several indicators, many national statistical offices do not yet collect data. Indicator 16.4.2 is a case in point. In the 2030 Agenda, the General Assembly recognized this problem and called for increased support for strengthening data collection and capacity-building in Member States, to develop national and global baselines where they do not yet exist (see resolution 70/1, para. 57).

Existing reporting mechanisms

49. States have underlined that data and information from existing reporting mechanisms should be used where possible (General Assembly resolution 70/1, para. 48) and that follow-up and review processes will build on existing platforms and processes, where these exist (ibid., para. 74 (f)). Paragraph 36 of the International Tracing Instrument includes a commitment by countries to report on a biennial basis. National reports under the International Tracing Instrument could therefore be instrumental and efficient for global data collection on indicator 16.4.2.

Recommendation 7

States are encouraged to develop capacity within their national law enforcement systems and national statistical offices to sustainably collect data on indicator 16.4.2. Until such national streamlining has been completed, biennial national reports under the Programme of Action and the International Tracing Instrument can be used to convey national information on indicator 16.4.2 to the Secretariat. This ensures that relevant national

[13] The global indicator framework was developed by the Inter-Agency and Expert Group on Sustainable Development Goal Indicators and agreed on by the Statistical Commission. It has been submitted to the Economic and Social Council and the General Assembly for further adoption.

information will be fed into the progress reports on the Sustainable Development Goals.

Recommendation 8

Governments are encouraged to conduct a self-assessment of their national small arms controls and pinpoint areas that may be in need of strengthening. For such an exercise, an International Small Arms Control Standards assessment tool is available.[14]

III. Update on developments in small arms and light weapons manufacturing, technology and design and their implications for the full and effective implementation of the International Tracing Instrument

Materials[15]

50. Plastics are used increasingly in the production of firearm frames and receivers. Plastics provide lower cost, lighter weight, resistance to moisture and thermal neutrality.

51. Markings stamped in steel, when subsequently erased, can often be recovered because the stamping leaves a permanent subsurface deformation in the deeper crystalline structure of the steel. Markings cannot be stamped in plastic as in steel; plastics are best marked using laser engraving or micro-percussion (also called dot peen stamping). Markings in plastics, once erased, cannot be recovered as no trace is left in the deeper crystalline structure of the weapon.

Implications for the implementation of the Programme of Action and the International Tracing Instrument

52. An alternative for marking plastic weapons parts is to add a metallic insert or tag in the main plastic component on which markings can be added, although such metallic inserts have regularly been found removed after the weapon's diversion. All in all, the advent of plastics in weapons manufacture complicates tracing considerably.

Modular weapons

53. Increasingly, rifles are manufactured onto which can be attached an array of parts essential to the operation of the weapon to obtain different configurations suited for different purposes.

54. Modularity allows for temporary changes to a weapon's calibre, a fundamental characteristic for its identification. In such cases, the same serial number, if marked only on the receiver or another component, can be associated with different calibres.

[14] Developed by the United Nations Institute for Disarmament Research (see http://smallarmsstandards.org/tools).

[15] Further to the report of the Secretary-General (A/CONF.192/BMS/2014/1).

Implications for the implementation of the Programme of Action and the International Tracing Instrument

55. The fact that modular weapons can be fitted with different components, including from other weapons, could result in different serial numbers appearing on different parts of the same weapon, increasing the risk of misidentification.

56. It could also be maintained that a modular weapon found with more than one serial number actually provides more potential clues to enable a successful trace. Paragraph 10 of the International Tracing Instrument prescribes the application of a unique marking to an essential or structural component of the weapon, such as the frame and/or receiver, and also encourages the marking of other parts of the weapon, such as the barrel and/or slide or cylinder.

Three-dimensional printing and craft production

57. After manufacturers had mastered the production of small arms mainly made of plastics, it was a small step to use three-dimensional (3-D) printing to produce such weapons. Now, even 3-D printing using metals is becoming an option.

58. 3-D printing is not the only method of making weapons away from recognized industrial facilities. Sophisticated craft weapons are being made in workshops on several continents.[16] Often, these artefacts are produced outside of State controls. Craft production can range from pistols and submachine guns to mortars, single-launch rockets, grenade launchers and rocket-propelled grenades. Craft production can include the reloading of cartridges.

Implications for the implementation of the Programme of Action and the International Tracing Instrument

59. At the moment, weapon theft or purchase on the illicit market may require less effort and lower costs than 3-D printing of a reliable weapon. However, once production costs decrease and quality increases, 3-D printing will become a lucrative alternative for small-scale illicit weapons manufacture. States may wish to assess whether their national regulations — including their national control list definitions — adequately cover 3-D printing technology.

Microstamping

60. When a small arm with a microscopic code laser-engraved onto the tip of its firing pin is fired, the etchings are transferred to the cartridge case. If the cartridge case is recovered, this microscopic code — identifying the weapon's serial number — can help to trace the firearm from which the shot was fired to its last registered owner. Thus, microstamping of cartridges can help to trace a weapon that is not found.

61. In 2008, the International Association of Chiefs of Police adopted a resolution supporting the use of microstamping technology in criminal investigations. The

[16] Eric Berman, "Craft Production of Small Arms", *Small Arms Survey Research Notes*, No. 3 (March 2011). Available from http://smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-3.pdf.

Association specifically identified microstamping as an inexpensive yet effective way to mark and identify cartridge cases.[17]

Implications for the implementation of the Programme of Action and the International Tracing Instrument

62. Microstamping technology is increasingly mentioned as a serious improvement in law enforcement investigations. Member States could consider including it in their national regulations.

Record-keeping and stockpile management

63. Barcodes, radio frequency identification and biometrics — for example, fingerprint recognition — all come under the umbrella of automatic identification and data collection technology. Such methods electronically identify objects and collect data on them. These technologies have been adapted to a range of applications related to small arms and light weapons stockpile management so as to improve identification, safety and tracking.

64. Portable gun locks can be inserted into the barrel or cartridge chamber of weapons and digitally locked to ensure secure storage or transport. Arms storage devices and containers are available whereby weapons can only be removed after entering a code number or scanning a fingerprint, or by way of a radio-frequency identification application. In this way, it is possible to track and document which individual has used a specific weapon, when and for how long.

Implications for the implementation of the Programme of Action and the International Tracing Instrument

65. Poor stockpile management around the world remains an area of disturbing concern. Many States lack thorough planning and consistent attention to safe storage, handling, transportation and disposal of State-owned weapons. Poor national inventory practices mean that surpluses cannot be identified, leading to extensive build-ups of frequently unnecessary stockpiles. Although adequate weapons stockpile management is entirely possible with traditional safety methods, new technologies — when properly applied and maintained — can assist in making procedures watertight.

Recommendation 9

The second Open-ended Meeting of Governmental Experts on the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (New York, 1-5 June 2015) considered developments on small arms and light weapons technology and its implications at the technical level. States, at the Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action and at the seventy-first session of the General Assembly, may wish to identify policy implications of these discussions.

[17] International Association of Chiefs of Police, "2008 resolutions adopted at the 115th Annual Conference in San Diego, CA", p. 45. Available from http://theiacp.org/portals/0/pdfs/2008Resolutions.pdf.

Recommendation 10

In particular, the International Tracing Instrument addresses a topic with considerable technological implications. To ensure its continued relevance, the Instrument could be strengthened by taking into account new developments in technologies to enhance weapons marking, record-keeping and tracing. Member States may wish to consider developing a supplement to the Instrument, such as a technical annex, which would reflect the implications of present-day technology on the marking, record-keeping and tracing of small arms. Furthermore, they could consider enhancing the assistance and capacity-building side of international tracing, also in the context of the 2030 Agenda for Sustainable Development.

IV. Adequacy, effectiveness and sustainability of financial and technical assistance, including the transfer of technology and equipment, particularly to developing countries since 2001, for the full implementation of the Programme of Action; options for the enhanced funding of activities relating to the implementation of the Programme of Action and the International Tracing Instrument, including trust fund arrangements; and options for the establishment of programmes for the training of relevant officials

Adequacy, effectiveness and sustainability of financial and technical assistance

66. Since the adoption of the Programme of Action in 2001, the Office for Disarmament Affairs and its regional centres for peace and disarmament have been receiving funds from donors for projects in the field of small arms control. These funding mechanisms have functioned as trust funds for well over a decade. Moreover, in 2013, the United Nations Trust Facility Supporting Cooperation on Arms Regulation, a trust fund characterized by sustained donor involvement, was established. To date, 10 donor countries have provided contributions to the Trust Facility in the amount of over $9 million, which has resulted in dozens of projects being carried out on all continents.

67. Because of the deeply cross-sectional character of the issue of small arms, international assistance for activities that in themselves can be seen as implementation of the Programme of Action and the International Tracing Instrument is routed through multiple channels. Within the United Nations system, projects directly relevant to the Programme of Action are undertaken by most offices, funds and agencies that participate in United Nations internal coordination on small arms, ammunition and the arms trade. These channels range from the Peacebuilding Fund to the Voluntary Trust Fund for Assistance in Mine Action, the Crisis Prevention and Recovery Thematic Trust Fund, the UNODC Global Firearms Programme, the Safer Cities Programme of the United Nations Human Settlements Programme, the United Nations Trust Fund to End Violence against Women, the United Nations Trust Fund for Human Security and many more. Humanitarian funds and "One United Nations" funds at the country level also often include elements of

weapons management. Certain support for the offices of the special representatives of the Secretary-General for Children and Armed Conflict and on Violence against Children is relevant to small arms control, as is support for practical arms control measures in United Nations missions, from Haiti to the Sahel to Afghanistan.

68. Specialized agencies and non-United Nations entities, such as the International Maritime Organization, INTERPOL, the World Bank and the World Customs Organization, have also been deeply engaged by Member States in assistance and capacity-building on these issues. The Arms Trade Treaty voluntary trust fund is expected to be an important additional channel for capacity-building on weapons control.

69. Bilateral assistance flows and those established through regional organizations complement the picture.

70. All in all, for donor States wishing to provide practical assistance on small arms management and control — and for affected countries needing such assistance — there is an array of funding options available, from global to regional and from thematic to country level.

National reports: 2002-2006 reporting period

71. States are reminded that the agreed template for national reports under the Programme of Action does not include information on the adequacy, effectiveness or sustainability of financial and technical assistance.

72. In 2006, the United Nations Institute for Disarmament Research published an analysis of information provided by States on international assistance for implementation of the Programme of Action.[18] In that report, a significant increase was noted in the amount of financial assistance provided immediately after the adoption of the Programme of Action. Between 2001 and 2005, approximately 600 different activities taking place in at least 94 States were reported, with an estimated total cost of $660 million.

73. In financial terms, the majority of the assistance was allocated to disarmament, demobilization and reintegration programmes, followed by the destruction of small arms, light weapons and ammunition, weapons collection and stockpile management.

74. The report was based on a questionnaire circulated to Member States, since national reports were too few and did not contain enough data for analysis. It acknowledged that States might list only selected examples of their activities and that few national reports consistently included monetary values for the assistance provided and fewer still for assistance received.[19]

[18] Kerry Maze and Sarah Parker, *International Assistance for Implementing the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects: Findings of a Global Survey* (Geneva, United Nations Institute for Disarmament Research, 2006).

[19] Ibid., p. 4.

National reports: 2007-2016 reporting period

75. For the years after 2006, no comprehensive analysis of international assistance is available. The tables below show information that can be deducted from national reports received by the Secretariat.

Table 1
Number of reports received

	Africa	*Asia and the Pacific*	*Eastern Europe*	*Latin America and the Caribbean*	*Western Europe and others*	*Total*
2007-2008	34	17	20	16	23	110
2009-2010	34	18	19	15	22	108
2011-2012	22	12	19	13	18	84
2013-2014	20	11	17	12	16	76
2015-2016	15	10	16	14	14	69

Table 2
Number of States requesting assistance in national reports

	Africa	*Asia and the Pacific*	*Eastern Europe*	*Latin America and the Caribbean*	*Western Europe and others*	*Total*
2007-2008	14	2	1	4	1	22
2009-2010	8	5	1	4	–	18
2011-2012	9	1	2	2	–	14
2013-2014	9	1	6	4	–	20
2015-2016	13	3	2	11	1	30

Table 3
Number of States reporting receiving assistance

	Africa	*Asia and the Pacific*	*Eastern Europe*	*Latin America and the Caribbean*	*Western Europe and others*	*Total*
2007-2008	11	1	3	5	1	21
2009-2010	7	2	1	3	–	13
2011-2012	3	–	2	3	–	8
2013-2014	6	1	–	1	–	8
2015-2016	3	3	3	1	–	10

Table 4
Number of States reporting willingness to provide financial and/or technical assistance

	Africa	*Asia and the Pacific*	*Eastern Europe*	*Latin America and the Caribbean*	*Western Europe and others*	*Total*
2007-2008	2	3	2	1	18	26
2009-2010	3	2	5	1	17	28
2011-2012	1	2	1	1	9	14
2013-2014	1	1	1	1	11	15
2015-2016	4	1	6	4	–	15

Table 5
Number of States having included an amount of assistance received, and total of those amounts

	Number of States reporting on amount received	*Total (United States dollars)*
2007-2008	3 out of 20	795 000
2009-2010	1 out of 13	900 000
2011-2012	5 out of 8	4 391 000
2013-2014	5 out of 8	1 134 000
2015-2016	3 out of 10	802 034

Table 6
Number of States having included an amount of assistance provided, and total of those amounts

	Number of States reporting on amount provided	*Total (United States dollars)*
2007-2008	5 out of 26	440 000
2009-2010	10 out of 28	90 980 000
2011-2012	9 out of 14	45 528 000
2013-2014	6 out of 15	299 145 000
2015-2016	5 out of 10	31 665 057

76. In July 2015, in a note verbale, the Secretariat reminded Member States to submit — separately from their biennial national report — their views and inputs on the adequacy, effectiveness and sustainability of financial and technical assistance, for the full and effective implementation of the Programme of Action, including the transfer of technology and equipment, particularly to developing countries since 2001.[20]

[20] The note verbale was mandated in paragraph 53 of the summary by the Chair of the second Open-ended Meeting of Governmental Experts on the Implementation of the Programme of Action (available from www.un.org/disarmament/convarms/salw/mge2/).

77. At the time of reporting, six Member States had responded to the note verbale. Their views can be found at www.un.org/disarmament/bms6.

Options for the enhanced funding of activities relating to the implementation of the Programme of Action and the International Tracing Instrument, including trust fund arrangements

78. In 2005, the Organization for Economic Cooperation and Development decided that controlling, preventing and reducing the proliferation of small arms and light weapons is considered official development aid.[21] This is in line with the understanding shared by all Member States that there can be no sustainable development without peace and no peace without sustainable development (see General Assembly resolution 70/1, preamble). Target 16.4 of the Sustainable Development Goals is the most concrete reflection of this collective opinion.

79. As mentioned, funding to prevent, combat and eradicate the illicit trade in small arms and light weapons is channelled through countless mechanisms at the bilateral, regional and global levels. It is not a lack of available trust funds that hinders full implementation of the Programme of Action; in fact, existing trust fund arrangements can accommodate higher contributions and a broader donor base.

80. Apart from increasing funding, States can consider strengthening the mechanism on assistance and cooperation under the Programme of Action. It will be important to do this without setting up a duplicate layer at the United Nations: programmes are usually best implemented in the field. Still, at the global level more can be done to connect requests for assistance with possible donor interest.

81. Most States reporting under the Programme of Action include in their national reports information on their national assistance needs. However, the Programme of Action does not provide a mechanism for matching these needs with available resources. Many States that have reported their need for assistance have not received a reply or a show of interest.

82. The Secretariat will address this gap by pointing towards these reported assistance needs when opening its annual call for proposals under the United Nations Trust Facility Supporting Cooperation on Arms Regulation. States may wish to consider other options for possible clearing house arrangements under the Programme of Action.

83. Indicator 16.4.2 may be leading in this regard. When this indicator is adopted, it is foreseen that States will develop the capacity to record and trace seized weapons, as well as the capacity to collect data on those actions. Assistance programmes could focus on building capacity for record-keeping, tracing and data collection. Moreover, fully in line with the 2030 Agenda, programmes could focus on developing additional national and regional indicators.

[21] See www.poa-iss.org/RevCon2/Documents/PrepCom-Background/OECD-DAC%202005%20decision.pdf.

Recommendation 11

In the preparations for the third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action, to be held in 2018, States are encouraged to consider enhancing the purpose of biennial national reports. In particular, the needs requests formulated therein could benefit from more sustained treatment and consideration.

Recommendation 12

In the context of the 2030 Agenda for Sustainable Development, States have underlined that follow-up and review processes regarding the Sustainable Development Goals will build on existing platforms and processes, where they exist. The Programme of Action is such an existing process. Future meetings under the Programme of Action could become a driving force for progress under target 16.4 of the Sustainable Development Goals. This would also be consistent with the aim agreed to by States in paragraph 27 (i) of the outcome of the Fifth Biennial Meeting of States to Consider Implementation of the Programme of Action (2014), to consider options for developing a more comprehensive international assistance framework.

Recommendation 13

In addition to global indicator 16.4.2, and in line with the 2030 Agenda for Sustainable Development, States are encouraged to develop under target 16.4 of the Sustainable Development Goals indicators at the regional and national levels. The Third Review Conference could become the starting point for information exchange on such endeavours.

Options for the establishment of programmes for the training of relevant officials

84. Many programmes for the training of officials in the field of small arms control are already in existence. A few examples from the past year will illustrate the range of training-related assistance currently provided.

85. The Department of Peacekeeping Operations, in particular the Mine Action Service, conducted many training activities, including on weapons and explosive hazard management; refurbishment and construction of weapons and ammunition storage facilities; and weapons collection and destruction. UNODC provided legislative assistance; technical assistance; and training on investigative and prosecutorial capacity to deal with complex, often transnational cases of firearms trafficking. The United Nations Development Programme supported authorities in establishing national coordinating bodies on small arms; supported small arms collection and awareness-raising, improved record-keeping and reporting software for licences for arms transfers; trained citizen security and armed violence reduction projects; provided training on stockpile management; and supported marking activities. The United Nations Children's Fund provided policy support and education on weapons-related risk reduction. The United Nations Institute for Disarmament Research, together with United Nations partners, has trained officials on conducting a national assessment of priority gaps and needs in weapons and ammunition management. The Office for Disarmament Affairs, including its

regional centres for peace and disarmament, provided training on ammunition life-cycle management; trained hundreds of national officials, including on marking and record-keeping, tracing and stockpile management; trained female legal operators to address impunity in small arms trafficking; supported officials of regional organizations; and conducted many more training activities.

86. The training activities of all involved entities consistently apply the International Small Arms Control Standards and the International Ammunition Technical Guidelines.

United Nations programme of fellowships on disarmament

87. Launched by the General Assembly in 1978 at its first special session devoted to disarmament, the United Nations programme of fellowships on disarmament is aimed at training and building the capacity of officials from Member States to enable them to participate more effectively in forums to deliberate and negotiate international disarmament. The programme consistently includes the issue of the illicit trade in small arms and light weapons in its curriculum.

Recommendation 14

Training programmes for national officials are best organized in the field as much as possible. Global training programmes on small arms control would not allow for regional or national specificities.

Recommendation 15

When assessing the need for a training programme for national officials, it would be beneficial to embed such a programme in wider national small arms strategies. Training should be based on specific demand, should be targeted at a specific category of officials and should have clear outcome objectives. Gender considerations are always relevant in small-arms-related training. National inter-agency training programmes are often more fruitful than those bringing together officials from several countries of a region. Specialized agencies and the United Nations regional centres for peace and disarmament offer specialized expertise.

Recommendation 16

Training programmes focusing on capacity-building for data collection under indicator 16.4.2 deserve special consideration.